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Forest Service

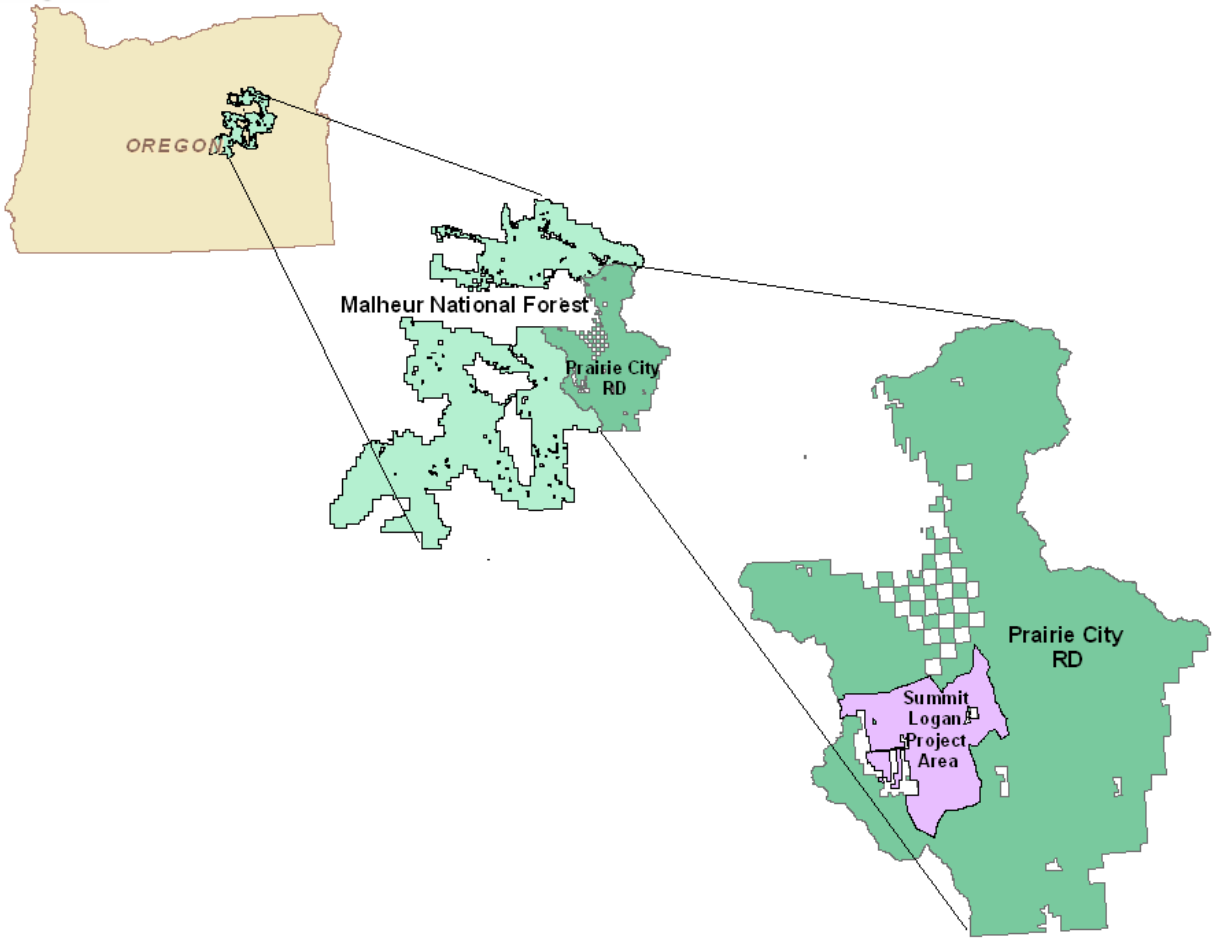
September 2013

Record of Decision

Summit Logan Valley Grazing Authorization Project

(Forest Plan Amendment # MAL 75)

Prairie City Ranger District, Malheur National Forest
Grant County, OR



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Decision and Reason for the Decision

Background

The Summit Logan Valley Grazing Authorization project analyzes and discloses the environmental consequences of authorizing livestock grazing on Lake Creek, Logan Valley, McCoy Creek and Summit Prairie Range Allotments. Four alternatives were analyzed for this project including: No Action, the Proposed Action, and two additional action alternatives generated in response to comments received during scoping and from issues raised by grazing permittees.

The project area is located south and west of Prairie City, Oregon and includes approximately 40,279 acres of National Forest System lands administered by the Prairie City Ranger District of the Malheur National Forest.

Purpose and Need

The purpose and need for the project is outlined below (FEIS, pp. 17-19):

To review and evaluate continuation, or modification, of grazing authorizations on Lake Creek, Logan Valley, McCoy Creek and Summit Prairie allotments. This is being done to ensure their effectiveness in meeting, or moving toward, desired conditions outlined in the amended Forest Plan, and to be consistent with agency policy, and other applicable laws and regulations.

Range Allotment Management Plans

Desired condition – The 1990 Malheur National Forest Land and Resource Management Plan (Forest Plan) has an objective that **"**All allotment management plans will be prepared or updated based on the goals, objectives, and standards in this Forest Plan (Forest Plan pg. IV-18). In addition, Forest Plan standard and guideline #79 directs preparation, updates, or revisions to "allotment management plans (AMPs) … to address emerging resource management issues and concerns." (Forest Plan Pg. IV-34).

Existing condition - Although allotment management plans are in place for the grazing allotments within the planning area, they pre-date the 1990 Forest Plan. Lake Creek allotment management plan was completed in 1966, Logan Valley and McCoy Creek allotment management plans were completed in 1971 and Summit Prairie allotment management plan was completed in 1965. Over the years both allotment and grazing unit boundaries have changed numerous times. In addition, many adjustments have been made to improve both upland and riparian conditions, provide aquatic restoration and improve livestock distribution including fencing, water and pond development, herding, strategic salt placement, exclosure fencing, hardwood planting, improved grazing systems, and pasture design, to name a few.

Why consider taking action? The Rescission Act (PL 104-19, Section 504) requires that each National Forest "establish and adhere to a schedule for the completion of National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) analysis and decisions on all allotments for which NEPA analysis is needed." In addition, the Forest Plan directs updates or revisions to allotment management plans to address emerging resource management issues and concerns. An important resource issue, since the allotment management plans were written, is the 1998 listing of bull trout as

a threatened species under the Endangered Species Act. Since direction exists to update allotment management plans, and conditions have changed since the allotment management plans were completed, there is a need to review and evaluate the existing allotment management plans for allotments in the planning area to reflect current management direction, policies, other applicable laws and regulations, and to address resources concerns on the allotments.

Management Direction Regarding Livestock Grazing

Desired Condition: Where consistent with other multiple-use goals and objectives, there is congressional intent to allow grazing on suitable lands (Multiple Use-Sustained Yield Act of 1960, Forest and Rangeland Renewable Resources Planning Act of 1974, Federal Land Policy and Management Act of 1976, and National Forest Management Act of 1976).

It is Forest Service policy to make forage available to qualified livestock operators from lands suitable for grazing consistent with forest plans (FSM 2203.1). It is also Forest Service policy to continue contributions to the economic and social well-being of people by providing opportunities for economic diversity, and by promoting stability for communities that depend on range resources for their livelihood (FSM 2202.1).

By regulation, forage-producing lands are to be managed for livestock grazing where consistent with forest plans ((36 CFR 222.2 (c)).

Existing Condition: The range allotments within the planning area contain lands identified as suitable for domestic livestock grazing in the Malheur Forest Plan. Domestic livestock grazing is consistent with the goals, objectives, standards, and guidelines of the Forest Plan.

Current grazing unit configurations and existing water sources do not always encourage well-distributed livestock use and uniform grazing of allotments. For instance, in Summit Prairie Allotment, use levels are often reached in riparian areas before forage can be fully utilized in the uplands. Current range management is addressing some of these issues through on-going range improvement projects, but not all of the issues have been addressed in current allotment management plans.

Why Consider Taking Action? There is a need to meet the Malheur Forest Plan goals by providing a sustained production of palatable forage for grazing by livestock, and dependent wildlife species, while meeting the needs of other resources and uses at a level which is responsive to site-specific objectives (Forest Plan, page IV-2). There is also a need to contribute to the social and economic health of communities which are significantly affected by National Forest management (Forest Plan page IV-3, # 42).

The Forest Plan also provides direction for continued range improvements as outlined in standards #87 and 88 below:

- Employ all available methods to achieve the desired levels of utilization by permitted livestock and by big game. Design the methods selected for controlled livestock use to fit the site-specific requirements for improving the riparian area to a satisfactory condition. Any combination of methods may be used to treat unsatisfactory riparian areas such as corridor fencing, herding, additional water developments, salting, nonuse for resource protection, early add/or late season use, shorter grazing seasons, reduced livestock numbers, control of degree of use, and/or creating additional pastures through fencing (Forest Plan pg.IV-35).
- Design and implement structural and nonstructural range improvements to maintain productivity and range condition in addition to benefiting both wildlife and livestock. Locate range structural

and nonstructural improvements to encourage livestock movement away from riparian areas (USDA, 1990. Pg. IV-35).

To improve resource conditions for aquatic habitat, including threatened bull trout habitat, within range allotments in the project area.

Resource Conditions for Aquatic Habitat within Range Allotments

Desired Condition - Include diverse, native plant communities (species composition, structural and age class diversity) that perpetuates the distribution of woody debris, nutrients, soil cover, streambank stability and thermal controls characteristic of resilient riparian ecosystems. In addition, ground cover, including shrubs, down wood, grasses and forbs sufficient to provide sediment buffering from soil movement from upslope areas. Additional desired conditions include hiding cover (undercut banks), pool habitat and other essential stream components that provide food, protection and habitat for aquatic species.

Existing Condition - The existing condition shows many stream reaches lack diverse age classes of willows, other hardwoods, and stabilizing herbaceous vegetation. Impaired shrub height and density and herbaceous vegetation is limiting stream shade, bank stability, hiding cover (undercut banks), and pool habitat. These essential stream components provide protection, food, and habitat (rearing, migratory, and reproductive) for bull trout and other aquatic species. Quantity and diversity of riparian vegetation is also limiting habitat for various wildlife species including beaver.

Segments of Lake Creek, Summit Creek and West Fork of Summit Creek are functioning-at-risk (FAR) with either an upward (5.1 miles) or downward (4.6 miles) trend. Functioning-at-risk riparian areas have an existing soil, water, or vegetation attribute that makes them more susceptible to degradation during moderately high flow events. Most frequently, vegetation is the primary determining factor for trend on low-gradient streams common to those in the Summit Logan project area (see appendix A in FEIS).

Why consider taking action? There is a need to improve aquatic habitat in the range allotments within the project area to support all life stages of threatened bull trout populations and other aquatic species. This includes improvements in riparian vegetation and hardwoods to enhance stream shade, temperature, riparian vegetation composition and vigor and streambank stability. Water temperature and streambank stability are important aquatic habitat features (riparian management objectives) identified in the Forest Plan, as amended by INFISH.

INFISH directs that grazing practices be modified (e.g., accessibility of riparian areas to livestock, length of grazing season, stocking levels, timing of grazing, etc.) that retard or prevent attainment of riparian management objectives or are likely to adversely affect inland native fish. Suspend grazing if adjusting practices is not effective in meeting riparian management objectives (INFISH GM 1).

There is also a need to develop an upward trend in riparian areas currently assessed as functioning-at risk with a downward or slowed trend, while continuing to improve or maintain riparian areas with upward recovery trends or properly functioning conditions that meet desired conditions identified in appendix A in the FEIS.

The final environmental impact statement (FEIS) documents the analysis of four alternatives to meet the purpose and need.

Decision

After reviewing the alternatives in the Summit Logan Valley Grazing Authorization Final Environmental Impact Statement (FEIS), substantive comments received from the public, and input from the interdisciplinary team, I have decided to select alternative 4 for the management of Lake Creek, McCoy Creek and Logan Valley Allotments (FEIS, pp. 53-59) and alternative 3 for the management of Summit Prairie Allotment (FEIS, pp. 50-52) with the following modifications:

- Riparian exclosures will be constructed in the Sagehen and Little Logan pastures instead of the proposed combination of riparian pastures and exclosures described in alternative 3. The riparian pastures proposed on Summit Creek Reaches 2 and 7 (see Table 1 below) will be changed to riparian exclosures (Figure 1).

- Immediately implement alternative 4 adaptive management strategies to construct riparian exclosures on Summit Creek Reach 4 and West Summit Creek Reach 2 (FEIS, appendix A, pp. 377-378). I made this decision because both of these reaches were identified in the 2007 Proper Functioning Condition assessment as functioning-at-risk. West Summit Creek Reach 2 is on a downward trend.

- All riparian exclosures will be constructed outside of the flood prone area and will encompass willows and other hardwoods that will contribute to stream shading in the future.

- Riparian exclosures will not be grazed.

- Fencing will be done using Forest Service design specifications. Construction will be a combination of 4-strand barbed wire, buck and pole, and livestock panels, as appropriate for the site and with Forest Service interdisciplinary team and grazing operators (grazing permittees) input on the specific design.

- Willow and other hardwood plantings will occur in all riparian exclosures and rested-riparian pastures to expedite recovery of riparian vegetation.

- There will be hardened water gaps (FEIS, p. 16, 75) and stream crossings on Summit Creek so livestock have access to water and to the allotment on either side of the creek, but creek access and access to riparian vegetation will be limited.

- Fence locations, water gaps, and stream crossings will be determined in collaboration with grazing permittees and Forest Service interdisciplinary team input.

- Until riparian exclosure fencing is completed, a daily range rider (as described in alternative 4, FEIS, pp. 60, 125, 127, 219, 220, 222 and 223) will be required to lessen impacts to riparian areas by herding livestock away from Summit Creek and into upland areas. I do not feel the range rider is a long-term solution, but will be necessary in the interim to achieve riparian objectives. I feel that with fencing, as opposed to the range rider, the recovery of the riparian areas on Summit Creek, and bull trout habitat is more certain.

- Until riparian exclosure fencing is completed move triggers and allowable use levels proposed in alternative 4 (FEIS, appendix E) would be applied on all reaches of Summit Creek. Once exclosures are completed in a given pasture then move triggers and use level will no longer be applicable since these areas will not be grazed.

Table 1 shows my specific decisions related to the Summit Prairie allotment.

Table 1. Summit Prairie Allotment Management

Priority to Implement	Grazing Pasture	Stream Reach	Length (Miles)	Alternative and Originally Proposed Action	Modification of Decision (see figure 1)
Summit Creek					
1	Sagehen	2	2.4	Alternative 3 – Construct a riparian exclosure and riparian pasture along portions of stream reach 2. (FEIS pp. 50-52).	Construct a riparian exclosure along stream reach 2. **Sagehen Riparian Exclosure 1**
2	Sagehen	4	1.1	Alternative 4- Adaptive Management Strategy (FEIS, p. 377, Table 104). Construct exclosures around a higher percentage of Summit Creek.	Immediately implement Alt. 4 Adaptive Management Strategy: Construct riparian exclosure along Summit Creek Reach 4. **Sagehen Riparian Exclosure 2**
3	Little Logan	7	5.0	Alternative 3 – Construct riparian pastures (Lower and Upper Little Logan Riparian Pastures). See FEIS pp. 50-52.	Construct a riparian exclosure along Summit Creek Reach 7. **Little Logan Riparian Exclosure**
4	North Summit	7	1.0	Alternative 3 –Rest North Summit Riparian Pasture for 3-5 years after the fence is constructed (est. 2014). Grazing will resume after management objectives are achieved with season-long rest required 3 years out of a 10 year period after grazing is resumed (FEIS, p. 50, Table 37). When grazing is resumed apply move triggers and use levels in FEIS Appendix E.	Manage **North Summit Riparian Pasture** as proposed in Alternative 3.
N/A	Summit Rock	8	1.7	Alternative 3 – Apply move triggers and use levels in FEIS Appendix E.	If bull trout reintroduction occurs in Summit Creek in the future, a livestock exclosure fence will be constructed to minimize bull trout spawning habitat conflicts (this will require a separate environmental analysis).
West Summit Creek					
6	West Summit	1	0.4	Alternative 3 –Rest for 3-5 years after the fence is constructed (est. 2014). Grazing will resume after management objectives are achieved with season-long rest required 3 years out of a 10 year period after grazing is resumed (FEIS, p. 50, Table 37). When grazing is resumed apply move triggers and use levels in FEIS Appendix E.	Manage **West Summit Recovery** unit as proposed in Alternative 3.
5	Summit Rock	2	0.8	Alternative 4- Adaptive Management Strategy (See FEIS, p. 378, Table 104). Construct exclosures around a higher percentage of Summit Creek.	Immediately implement Alt. 4 Adaptive Management Strategy: Construct a riparian exclosure along West Summit Creek Reach 2. **Summit Rock Riparian Exclosure**

I feel that the riparian exclosures and pastures in the modified alternative will accelerate recovery of riparian vegetation to enhance stream shade, riparian vegetation composition and vigor, and streambank stability faster than alternative 4 would. This will also hasten recovery of bull trout habitat more rapidly than alternative 4. Exclosures that preclude livestock access, and riparian pastures that limit livestock access to Summit Creek, were chosen based on the needs of individual stream reaches. In some cases, topography and stream channel configuration were such that fences were not deemed necessary to achieve riparian objectives. For example, within the Sagehen pasture Summit Creek reaches 1 and 3 are constrained rocky reaches that are more resilient to grazing. I will address in greater detail why I have made the decision to apply this part of alternative 3 in the decision rationale.

The portions of the Lake Creek allotment containing Lake Creek, Big Creek, Corral Basin Creek, and Bosenberg Creek (critical bull trout streams) will remain vacant to allow for protection of bull trout and their critical habitat (FEIS, alternative 4, pp. 53-54).

In the active allotments: Logan Valley, McCoy Creek, and Summit Prairie, there will be move triggers and allowable use levels for herbaceous forage, shrub use, and bank alteration which vary by pasture (see FEIS, appendices A and E). These move triggers and allowable use levels are based on the existing condition of the riparian area, its resiliency to grazing effects and other disturbances, and the presence of critical bull trout habitat (FEIS, appendix E). Allowable use, move triggers, and end point indicators may change over time based on monitoring results, timing, and climatic conditions. As recovery is obtained through meeting management objectives (see FEIS appendix A, Table 103), less restrictive use levels may be applied to maintain or continue recovery of stream conditions. If management objectives are not being achieved in a timely manner, more restrictive move triggers and allowable use levels may be necessary to accelerate recovery (see FEIS appendices A and E for specific details).

Allotment boundary changes will occur in all four allotments outlined in Table 2 and Figure 1 below. These boundary changes are intended to accomplish several objectives which include:

- Improving distribution of livestock.
- Utilizing forage more evenly in pastures.
- Allowing for the opportunity to more fully utilize upland forage in some pastures by separating riparian from upland pastures.
- Establishing rest and deferment grazing systems.
- Improving efficiencies in grazing management through arrangement of grazing units (pastures).
- Improving resource conditions for recovery of important attributes of aquatic habitat including riparian vegetation and hardwoods, stream shade, and streambank stability.
- Excluding access to, or allowing for periodically resting of riparian areas to allow recovery of riparian vegetation and shade which contribute to critical bull trout habitat.

For more details see chapter 2 of the FEIS pages 50-62 and 66-70.

Boundary Changes

Table 2 outlines the allotment boundary and acreage changes in the selected alternative. It also identifies improvement and structure changes in each allotment. Figure 1, which follows depicts the allotment changes visually.

Table 2. Boundary changes as well as improvements and structures in each allotment

Element	Lake Creek Allotment	Logan Valley Allotment	McCoy Creek Allotment	Summit Prairie Allotment
Original Allotment Acreage	10,196	3,756	980	25,331
Boundary Changes	Remove 388 acres from Lake Ck. Allotment and add to Logan Valley Allotment *(298 ac. from McCoy Ck. Unit and 90 ac. from Horse Pasture Unit)*	Add 388 acres from Lake Ck. Allotment to Logan Valley Allotment. *(becomes Deardorff Unit)*	Remove 267 acres of Lake Creek Unit (218 ac.) and N. Fork Unit (49 ac.) from McCoy Allotment and add to Logan Valley Allotment.	Add 52 acre Front Field Unit from Logan Valley Allotment to Summit Prairie Allotment
		Add 267 acres from McCoy Creek Allotment to Logan Valley Allotment. *(Lake Ck. Unit 218 ac. Retain Lake Creek Name. Add 49 ac. North Fork Unit to Flat Field Unit).*		
		Remove 52 acre Front Field Unit from Logan Valley Allotment and add to Summit Prairie Allotment.		
		Combine Big Ck. portion of E. Lake Ck. with North and South Big Creek Units to create 623 acre Big Creek Riparian Pasture.	Combine Dry Unit (28 ac.) and Ridge unit (264 ac.) into one unit called Ridge Unit (292 ac.).	
	Remove 349 acres from SW corner of McCoy Creek Unit of Lake Creek Allotment *(possibly add to Dollar Basin Allotment in future NEPA analysis)*		Remove 53 acre Starvation Unit from McCoy Creek Allotment *(possibly be added to Dollar Basin Allotment in future NEPA analysis)*	
Allotment Acreages After Boundary Changes	9,459	4,359	660	25,383
Improvements and Structures	Construct 2.5 miles of fence to isolate SW corner of McCoy Creek Unit from Lake Creek Allotment	Construct 2.5 miles of fence and remove 0.8 miles of fence to define Deardorff Unit.	Remove 1 mile of fence to create larger Ridge Unit by combining Dry (28 ac.) and existing Ridge units (264 ac.) of McCoy Allotment.	Remove 0.7 miles of fence to add Front Field from Logan Valley Allotment to Summit Prairie Allotment.
		Remove 0.3 miles of fence to combine N. Fork unit of McCoy Allotment into Flat Field Unit of Logan Valley Allotment.		
		Convert 0.3 miles of electric fence in the North Fork unit along Big Creek to a permanent let-down fence to exclude livestock from section of Big Creek.		Construct riparian exclosures and riparian pastures in the Summit Prairie allotment, as described in Table 1 above.[a]
		Remove 1.2 miles of fence to create Big Creek Riparian Unit.		Construct a loading ramp with attached catch pen in the Sagehen unit near the private property boundary.[b]

a - Summit prairie: Riparian pastures and riparian exclosures will be constructed in the Sagehen, Little Logan, North Summit, and Summit Rock units allowing portions of Summit Creek and West Summit Creek to be rested or excluded from grazing. Riparian pastures will be rested for 3 to 5 years and no grazing will occur within exclosures.

b - To alleviate current safety concerns on National Forest System road 1647, a loading ramp with attached catch pen will be constructed in the uplands of the Sagehen unit near the private property boundary (T. 16 S., R. 34 E., NE corner of Section 1). The loading ramp will be constructed with railroad timbers. The attached catch pen will be approximately 300 feet by 500 feet in size and constructed out of wood or wire material.

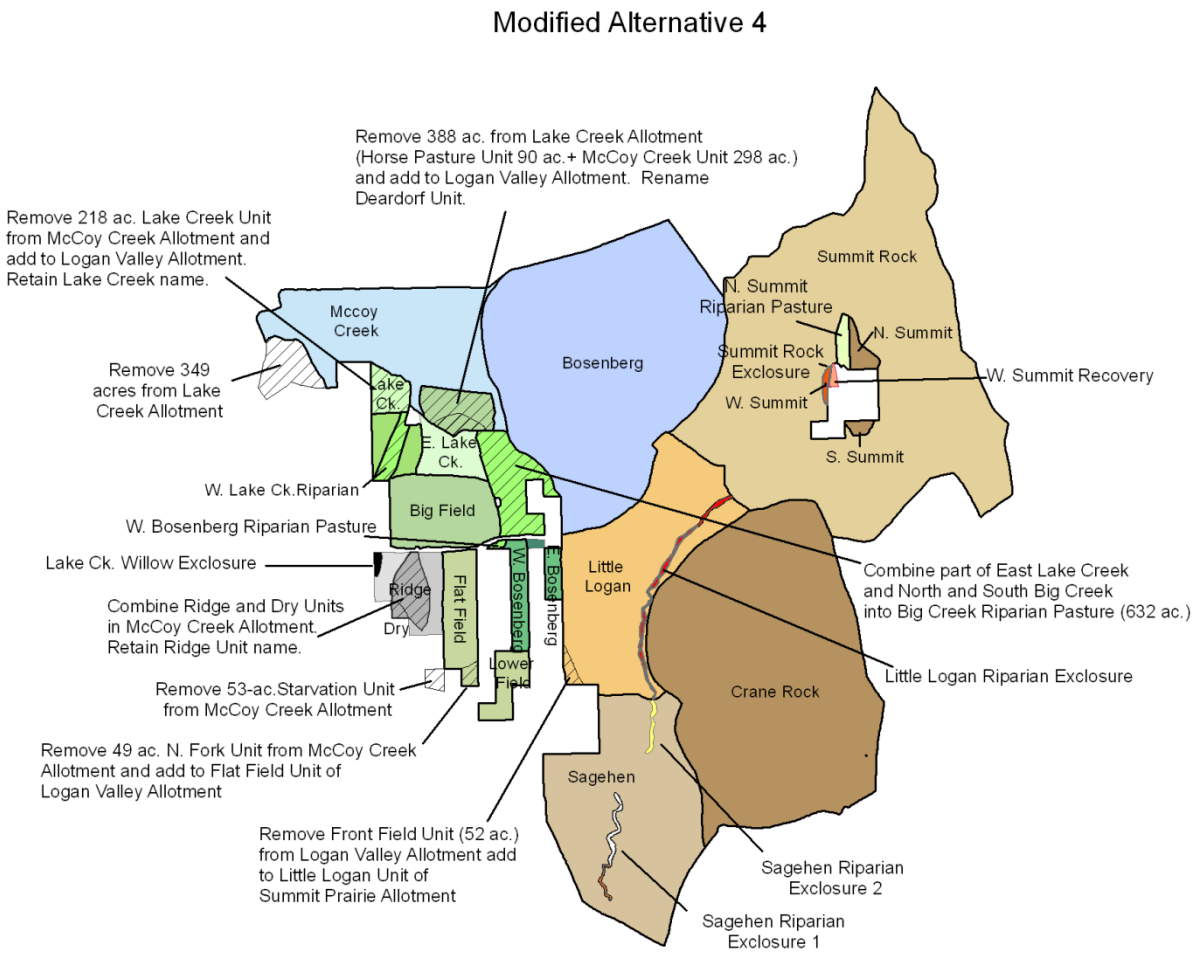

Figure 1. Changes to allotments in the selected alternative, as modified

Grazing Systems

Table 3 describes the grazing systems for the selected alternative as well as minimum rest requirements for riparian pastures in the Logan Valley and Summit Prairie Allotments (for a more detailed description see FEIS, chapter 2, pages 50-59)

Table 3. Grazing systems by allotment and rest requirements in riparian pastures in the selected alternative

Allotment	Grazing System	
Lake Creek	No Grazing: Vacant	
Logan Valley	Grazing System: Periods of rest or deferment during the season of use determined by resource needs. Will not be a systematic or scheduled rotation. The rest periods will vary from a period critical to plant development, full growing season or one forage crop (one year). Emphasis will be placed on resting units with aquatic habitat recovery needs.	
	W. Bosenberg Riparian pasture	Rest for 3-5 years after fence is constructed and willows are planted (estimated 2014). Resume grazing after management objectives are achieved. Season-long rest required 3 years out of 10 after grazing is resumed. Apply move triggers and use levels described in FEIS appendix E.
	West Lake Ck. Riparian pasture	
	Big Creek Riparian pasture	Season-long rest 3 years out of 10 year period.
McCoy Creek	Grazing System: A deferred rotation grazing system will be applied throughout the allotment. This system provides for a systematic rotation of deferment among units and provides flexibility to change the time of year when units will be used.	
Summit Prairie	Grazing System: The grazing system will not change from current management. Livestock will generally move from unit to unit with opportunities to defer the season of use. Riparian exclosures (with no grazing) and riparian pastures will be constructed along portions of Summit Creek and West Fork Summit Creek.	
	Sagehen Riparian Exclosures 1 and 2	No Grazing
	Little Logan Riparian Exclosure	No Grazing
	West Summit Recovery unit	Rest for 3-5 years after fence is constructed and willows are planted (estimated 2014). Resume grazing after management objectives are achieved, with season-long rest required 3 years out of 10 after grazing is resumed. Apply move triggers and use levels described in FEIS appendix E.
	North Summit Riparian pasture	Rest for 3-5 years after fence is constructed and willows are planted (estimated 2014). Resume grazing after management objectives are achieved, with season-long rest required 3 years out of 10 after grazing is resumed. Apply move triggers and use levels described in FEIS appendix E.
	Summit Rock Riparian Exclosure	No Grazing

Grazing Units by Range Allotment

Table 4 shows the grazing units within each of the four allotments and their acreages after boundary changes in the selected alternative (FEIS, pp. 38, 50, 51, 54, 55, 56, 57, and 59).

Table 4. Grazing units within allotments

Name of Unit (Pasture)	Acres	Name of Unit (Pasture)	Acres
Lake Creek Allotment			
McCoy Creek Unit	2,581	Bosenberg Unit	6,878
Logan Valley Allotment			
Big Creek Riparian pasture	623	Lake Creek Unit	218
Big Field Unit	1,024	Lower Field Unit	283
Corral Holding Unit	22	West Bosenberg Unit	269
Deardorff Unit	388	West Bosenberg Riparian Pasture	14
East Bosenberg Unit	118	West Lake Creek Unit	271
East Lake Creek Unit	399	West Lake Creek Riparian Pasture	135
Flat Field Unit	595		
McCoy Allotment			
Cow Camp Unit	157	Government Flat Unit	211
Ridge	292		
Summit Prairie Allotment			
Crane Rock Unit	7,838	Sagehen Unit	3,730
Little Logan Unit	3,191	Sagehen Riparian Exclosures 1 and 2	37
Little Logan Riparian Exclosure	79	South Summit Unit	45
North Summit Unit	108	Summit Rock Unit	10,217
		Summit Rock Riparian Exclosure	5
North Summit Riparian Pasture	87	West Summit Unit (holding unit/handing facility)	27
		West Summit Recovery Unit (temporary)	19

Livestock Numbers and Grazing Season

Table 5 shows livestock numbers, Animal Unit Months (AUMs), and grazing season in the allotments in the selected alternative (FEIS, pp. 52, 55, 58, 61, 62).

Table 5. Livestock numbers and grazing season

Allotment Name	Acres	Livestock Numbers[a]	Animal Unit Months (AUMs)	Grazing Season
Lake Creek	9,459	0	0	N/A
Logan Valley	4,359	357	1,983	June 10 to Oct.15
				Big Ck. Riparian Pasture June 10 to Aug. 15 to protect bull trout spawning habitat
McCoy	660[b]	63	416	June 1 to Oct. 30
Summit Prairie	25,383	260	1,546	June 10 to Oc.t 24

a – Cow/calf pairs or individual steers or heifers not to exceed AUMs

b - Although the allotment acres decrease from approximately 980 acres to 660 acres the authorized head of cattle will remain as presently grazed. Grazing numbers will not change for the following reasons: 1) the Lake Creek, North Fork, and Starvation units are currently disconnected from the main body of the allotment and therefore are not often grazed; 2) The three grazing units (Cow Camp, Government Flat, and Ridge) remaining in the allotment are primarily upland areas reducing the potential for concentrations of livestock within the Lake Creek riparian area and bull trout habitat.

Design Criteria and Monitoring

Built into the selected alternative are various design criteria outlined in the FEIS on pages 71-75. The design criteria are intended to protect riparian and other vegetation, water quality, fish and wildlife habitat, heritage resources, and visual quality, as well as to minimize the spread of invasive species, etc.

The alternative also includes various monitoring such as: riparian, upland, wildlife, aspen and heritage monitoring.

Adaptive Management

The selected alternative also includes adaptive management which uses monitoring information to determine if management changes are needed. Strategies have been identified to ensure that riparian recovery objectives are met within specified timeframes. If monitoring indicates that specific objectives are not being achieved, at any time the Line Officer can choose to apply the analyzed adaptive strategies to reduce delays in recovery timeframes (FEIS, chapter 2, pages 30, 31, 52, 58, and 59). Recovery objectives with specified timeframes and associated monitoring are displayed in FEIS appendix A, Table 103. Adaptive management strategies are outlined in appendix A, Table 104.

Table 6 shows adaptive management strategies for the selected alternative. Adaptive management strategies in FEIS, Table 103 will be modified and no longer applicable for riparian exclosures since these areas are excluded from grazing.

Table 6. Adaptive management

Allotment	Stream	Unit	Adaptive Management Strategy
Logan Valley	Lake Creek	West Lake Creek Riparian Pasture	Additional rest within riparian pasture or investigate options for riparian exclosure construction.
	Big Creek	West Bosenberg Riparian Pasture	Additional rest within riparian pasture
	Big Creek	Big Creek RiparianPpasture	Scheduled rest or additional rest
	Fen	Big Field (Fen area)	Install fence around Fen area
McCoy Creek	No additional adaptive management strategies are proposed since Lake Creek will be fenced in riparian exclosures (no grazing) as part of ongoing projects.		
Summit Prairie	Summit Creek	Sagehen Riparian Exclosures 1 and 2	No Adaptive Strategy
	Summit Creek	Little Logan Riparian Exclosure	No Adaptive Strategy
	West For Summit Creek	Summit Rock Riparian Exclosure	No Adaptive Strategy
	Summit Ck. and West Fk. Summit Ck.	West Summit Recovery Unit	Additional rest within Recovery unit and Riparian pasture; or investigate options for riparian exclosure construction.
	Summit Creek	North Summit Riparian Pasture	

Forest Plan Amendment

The selected alternative also includes an amendment to the Malheur Forest Plan in which the numeric values for shade in hardwood/meadow complexes outlined in Forest Plan Amendment #29 will be modified for site-specific stream reaches. The shade values in Amendment 29 were based on the best information available at the time the Decision Notice was signed by the Malheur National Forest Supervisor in August of 1994. The Decision Notice stated that “if new information becomes available in the future which indicates changes in the numeric values to achieve the stated desired condition, these values may be inserted as a clarification/correction to the individual standard.” New information and data collected for the Summit Logan project are being used to amend the numeric shade values for hardwood meadow complexes on several stream reaches on Summit Creek, West Fork Summit Creek, Lake Creek, Big Creek, and Bosenberg Creek.

The amended shade values are based on work by the Carex Working Group (2012) and the Malheur River Basin Total Maximum Daily Load (TMDL) and Water Quality Management Plan completed by State of Oregon Department of Environmental Quality (2010). The Carex Working Group estimated the expected (and perhaps maximum) level of streamside shade (height and density) that could be attained from willows, sedges, and other hardwoods under near-natural rates of recovery at two time scales: (a) five years, and (b) twenty years for all stream reaches on Summit Creek. To determine the historic range of variability of the various reaches of Summit Creek, the Carex Working Group considered the habitat characteristics of each stream reach, the habitats occupied by mature willow thickets, alder thickets, and sedge meadows on the reference sites, and similar plant communities observed elsewhere in Grant and Harney Counties (Carex Working Group 2010, 2011a, and 2011b).

The stream reaches where modifications to Amendment #29 Numeric Values will occur are shown in Table 7. Potential values for shade in the TMDL were derived using Ecoregion-Based Effective Shade Curves if reference data was not available.

These effective shade curves are general heat load allocations that are identified by region and channel width for various riparian plant communities. The given values represent the maximum possible effective shade if the potential vegetative height and density are present. The curves account for latitude, critical summertime period, and stream aspect. The Carex Working Group only collected reference data for alder and/or willow riparian plant communities. As a result, the Native Floodplain Grasses effective shade curve was used from the TMDL (FEIS, pp. 63-65).

Table 7. Forest Plan amendment

Reach	Amendment #29 Numeric Value to be Modified			Modifications and Reference Source
	Amendment #29 Element	Location	Specific Value	
Summit Creek				
1	D. Riparian Vegetation: 4) Shade/ Canopy Closure	d) Hardwood/meadow complex	Hardwood/meadow complex 80% shaded	Shade >65% (TMDL 2010)
2				Shade ≥60% in areas with hardwoods (CWG[a] 2012) or Shade ≥25% in areas with native floodplain grasses (TMDL[b] 2010)
4				Shade ≥60% in areas with hardwoods (CWG 2012) or Shade ≥25% in areas with native floodplain grasses (TMDL 2010)
5				Increase hardwood shade component; Shade ≥ 60% (CWG 2012)
6				Shade ≥ 25% for native floodplain grasses (TMDL 2010)
7				Increase hardwood shade component; Shade ≥ 80% for alder-dominated areas (Amendment #29), Shade ≥ 60% for mixed shrub areas (CWG 2012), or Shade ≥ 25% in areas with native floodplain grasses (TMDL 2010).
West Fork Summit Creek				
1	D. Riparian Vegetation: 4) Shade/Canopy Closure	d) Hardwood/meadow complex	Hardwood/meadow complex 80% shaded	Shade ≥ 25% for native floodplain grasses (TMDL 2010).
2				Increase hardwood shade component; Shade ≥ 80% for alder-dominated areas (Amendment #29), Shade ≥ 60% for mixed shrub areas (CWG 2012), or Shade ≥ 25% for native floodplain grasses (TMDL 2010).
Lake Creek				
1	D. Riparian Vegetation: 4) Shade/Canopy Closure	d) Hardwood/meadow complex	Hardwood/meadow complex 80% shaded	Increase hardwood shade component; Shade ≥ 60% in hardwood areas (CWG 2012) or Shade ≥ 25% in areas with native floodplain grasses (TMDL 2010).
2				Increased hardwood shade component: Shade ≥ 60% (CWG 2012) or Shade ≥ 25% for native floodplain grasses (TMDL 2010).
3				Shade 60-80% in mixed shrub and conifer (CWG 2012) or Shade ≥ 25% for native floodplain grasses (TMDL 2010).
Lake Creek[c]				Shade 60-80% in mixed shrub (CWG 2012) or Shade ≥ 25% for native floodplain grasses (TMDL 2010).

Reach	Amendment #29 Numeric Value to be Modified			Modifications and Reference Source
	Amendment #29 Element	Location	Specific Value	
Big Creek				
Big Creek[d]	D. Riparian Vegetation: 4) Shade/Canopy Closure	b) Mixed conifer species d) Hardwood/meadow complex	Hardwood/meadow complex 80% shaded	Shade 60-80% in mixed shrub (CWG 2012) or Shade ≥ 25% for native floodplain grasses (TMDL 2010).
1			Hardwood/meadow complex 80% shaded 50-65% canopy closure	Shade 60-80% in mixed shrub and conifer (CWG 2012) or Shade ≥ 25% for native floodplain grasses (TMDL 2010).
2			Hardwood/meadow complex 80% shaded	Shade 60-80% in mixed shrub and conifer (CWG 2012) or Shade ≥ 25% for native floodplain grasses (TMDL 2010).
3				Shade 60-80% in mixed shrub and conifer (CWG 2012).
Bosenberg Creek				
Bosen-berg Creek	D. Riparian Vegetation: 4) Shade/Canopy Closure	b) Mixed conifer species	Hardwood/meadow complex 80% shaded	Shade 60-80% in mixed shrub (CWG 2012) or ≥ 25% for native floodplain grasses (TMDL 2010).

a – CWG = Carex Working Group

b – TMDL = Total Maximum Daily Load

c – No Proper Functioning Condition (PFC) assessment

d - No Proper Functioning Condition (PFC) assessment south side of Forest Service Road 16 for 0.15 miles.

Forest Plan Amendment Evaluation of Significance:

1. **Actions that do not significantly alter the multiple-use goals and objectives for long-term land and resource management. (Forest Plan Level).**

   This action does not significantly alter multiple-use goals and objectives for long-term land and resource management. It site-specifically amends numeric shade values in hardwood/meadow complexes for identified stream reaches, outlined in Table 7 above. The intent of the amendment is to provide accurate and attainable desired conditions for stream shade for these specific stream reaches based on current science and field-verified local conditions.

   The methodology for determining the site-specific shade values, fine-tuned for local conditions, is described above.

2. **Adjustments of management area boundaries or management prescriptions resulting from further on-site analysis when the adjustments do not cause significant changes in the multiple-use goals and objectives for long-term land and resource management. (MA area)**

   No changes or adjustments in management area boundaries will occur as the result of this amendment.

   Minor management prescription changes (numeric shade values) will occur on specific stream reaches based on site-specific analysis. These changes do not cause significant changes in multiple-use goals and objectives for long-term land and resource management.

3. **Minor changes in standards and guidelines**

   There are no wholesale changes to standards and guidelines for any management area, only minor site-specific changes for numeric shade values on identified stream reaches (Table 7), based on field-verified local conditions.

4. **Opportunities for additional projects or activities that will contribute to achievement of the management prescription.**

   This amendment will not result in additional opportunities for projects or activities that will contribute to achievement of the management prescription, because it is designed only for field-verified, site- specific locations.

Based on the following evaluation, I believe that Forest Plan amendment – MAL 75 is not significant under the National Forest Management Act implementing regulations.

Rationale for Alternative Selection

I selected Alternative 4, as modified, because it provides the most protection for riparian habitat and threatened bull trout and their critical habitat, while allowing livestock use of the Logan Valley, McCoy Creek and Summit Prairie allotments.

The alternative that I have selected addresses the issues raised during scoping (FEIS, pp. 23-26):

Bull trout

I modified alternative 4 by selecting a management scheme for the Summit Prairie Allotment that was analyzed in the FEIS mostly in alternative 3 with some elements of alternative 4 (FEIS, pp. 50-52, FEIS appendix A, Table 104). I feel that riparian exclosures in Sagehen, Little Logan, and Summit Rock

grazing units are needed to separate the riparian areas from the uplands on Summit Creek and West Fork Summit Creek. A key concern in the Sagehen and Little Logan pastures is willow recovery. Data collected for stream reaches on Summit Creek indicate that willows are present, but are generally less than three feet tall because of ungulate browsing. The lack of shrubs decreases effective stream shade that can help keep water temperatures cool. Grazing operators have cooperatively made recent management changes that are resulting in herbaceous vegetation recovery here and the condition of herbaceous plant communities is currently on an upward trend. However, willows are still browsed and are not recovering. I have a higher level of confidence that excluding portions of Summit Creek from grazing in the Sagehen and Little Logan pastures, by constructing riparian exclosure fences, will result in faster recovery of both riparian vegetation (especially willow recovery) and bull trout habitat (FEIS pages 18, 19, 24, 81, 212-216, 219-224, and appendix A (Table 102)).

My decision also includes construction of riparian pastures on Summit Creek, West Fork Summit Creek, Crooked Creek, and Lake Creek. As shown in Table 3, all riparian pastures will receive some level of rest from grazing over the next 10 years. All but one riparian pasture will be immediately rested for the next 3 to 5 years. During periods of rest, “plants are not affected by herbivory and streambanks are not affected by livestock trampling. Woody plants are allowed to reach escapement height” (FEIS, p. 106-107). As the density, cover and composition of riparian vegetation improves and streambanks recover, critical habitat for bull trout will also improve.

In the Logan Valley allotment, consolidation of some pastures, adding about 388 acres of non-bull trout habitat from the Lake Creek Allotment, and adding 267 acres from the McCoy Creek Allotment provides a larger grazing landscape. The larger grazing landscape will allow for establishment of a grazing system that includes periodic rest across the allotment, with priority to resting riparian areas in the future. For example, the Big Creek Riparian pasture (623 acres), which provides critical bull trout rearing and spawning habitat, will now be rested from grazing for a minimum of 3 years out of 10 years to continue recovery of riparian and bull trout habitat. Periodic pasture rest, along with a required livestock removal date of August 15 when the pasture is grazed (FEIS, pp. 58 and 225), will reduce the risk of trampling of bull trout redds.

To address public concerns identified during scoping and during comments on the draft EIS, I want to point out that although my decision adds portions of the vacant Lake Creek Allotment to other allotments, the areas containing both occupied and unoccupied bull trout habitat will be left vacant (no grazing). This will help ensure protection of threatened bull trout and their identified critical habitat. A portion of the Lake Creek allotment burned about 30 years ago. Although the burned area is recovering, stream banks are composed of erodible organic matter and are still highly susceptible to impacts from livestock grazing. Therefore I have decided not to reinitiate grazing in these areas (as proposed in Alternative 2) to allow for continued recovery. I feel that grazing at this time will slow the rate of recovery in this important stronghold for bull trout survival where both spawning and rearing take place (FEIS, page10, 11, 54, 166, 195 and 196).

Portions of Lake Creek, Summit Creek, and West Fork Summit Creek were identified in the 2007 Proper Functioning Condition (PFC) Assessment as functioning-at-risk (FEIS, pp. 181 and187). Functioning-at-risk streams have soil, water, or vegetation attributes that make them susceptible to degradation and future disturbance events such as flooding. Some reaches were identified as having a downward trend. Restoring functioning-at-risk streams was identified as a concern in public comments. I feel my decision will ensure prompt recovery of functioning-at-risk streams and associated bull trout critical habitat. I have included the table below to show how stream reaches that are functioning-at-risk will be managed in my decision.

Table 8. Management of functioning-at-risk streams

Stream Reach	Allotment and Grazing Unit	Bull Trout Habitat	PFC Trend	Management in the Selected Alternative
Summit Creek				
1	Summit Prairie, Sagehen	Critical Habitat	No Apparent Trend	Constrained rocky stream reach dominated by alder and willow. Deferred rotation management and application of move triggers and use levels identified in FEIS appendix E.
2	Summit Prairie, Sagehen Riparian Exclosure 1	Critical Habitat	Downward Trend	Fenced riparian exclosure (no grazing)
4	Summit Prairie, Sagehen Riparian Exclosure 2	Critical Habitat	Upward Trend	Fenced riparian exclosure (no grazing)
5	Summit Prairie, Little Logan Riparian Exclosure	Critical Habitat	Upward Trend	Fenced riparian exclosure (no grazing)
West Fork Summit Creek				
1	Summit Prairie, West Summit Recovery	Not Critical Habitat	Downward Trend	Fenced riparian pasture to be rested for 3-5 years after fence is constructed. Grazing will be resumed after management objectives are achieved, with season-long rest required 3 years out of 10, after grazing is resumed. Apply move triggers and use levels described in FEIS appendix E.
2	Summit Prairie, Summit Rock Riparian Exclosure	Not Critical Habitat	Downward Trend	Fenced riparian exclosure (no grazing)
Crooked Creek				
1	McCoy Creek, Starvation	Critical Habitat	Downward Trend	Removed from the McCoy Allotment and rested. May be added to the Dollar Basin Allotment in a future. Will require a future environmental analysis.
Lake Creek				
1	McCoy Creek, Starvation	Critical Habitat	Upward Trend	Fenced riparian exclosure (no grazing) in an ongoing project.
3	Logan Valley, West Lake Creek Riparian Pasture	Critical Habitat	Downward Trend	Fenced riparian pasture to be rested for 3-5 years after fence is constructed. Grazing will be resumed after management objectives are achieved, with season-long rest required 3 years out of 10, after grazing is resumed. Apply move triggers and use levels described in FEIS appendix E.

The selected alternative utilizes a rotational grazing system (deferred rotation) for all allotments (FEIS, pp. 51, 52, 56, 58, and 59). With a deferred rotation grazing system, each area is grazed at a different season of year which benefits both upland and riparian vegetation. Year-to-year variability in grazing pasture use can help increase plant vigor and improve species recruitment. It has also been successful in restoring and improving riparian areas. For example, controlling the season of grazing is an important factor for willow recovery (See FEIS pp. 105-106).

Economics

I considered the tradeoffs between the issues of protecting and enhancing bull trout habitat and the social economic impacts to the grazing operators (FEIS, pp. 24, 25, 82, 108-111, 119, 122, 123, 124-128, 251-253) and the local community. The alternative that I have selected will have potential economic impacts to the grazing operators for the next several years. I feel that this is a necessary tradeoff to recover threatened bull trout habitat in Lake Creek, Big Creek, and Summit Creek given, the departure of stream conditions from the desired condition in some stream reaches, and the current status of bull trout populations. In 1997, Oregon Department of Fish and Wildlife considered the upper Malheur River subpopulation at high risk of extinction (Buchanan et al. 1997).

This decision is very difficult given that the incomes of approximately six families (permit holders and employees) are provided by livestock operations in the allotments in the Summit Logan Project area. Locally, unemployment in Grant County is higher than the state average and grazing on the Malheur National Forest is an important source of employment and income. However, I feel the livelihood of these families and the local community is best secured by providing options for sustainable grazing management which includes protecting and restoring habitat for threatened bull trout as part of the overall management plan.

I know that riparian areas in the Logan Valley and Summit Prairie allotments are the most productive forage areas in those allotments (FEIS pp. 119-123). Resting or excluding these acres from grazing will pose economic hardship to the grazing operators in the short-term but will provide needed benefits to threatened bull trout and their habitat. In the Summit Creek riparian areas, use levels and move triggers have historically been reached before authorized forage in the upland areas can be fully utilized (FEIS p.102). I am confident that by separating the upland and riparian areas along Summit Creek, with riparian exclosures, upland forage utilization will improve, thus offsetting some of the impacts to livestock grazing. By modifying the selected alternative, and constructing primarily riparian exclosures along Summit Creek, some of the economic impacts would be offset because less forage will be included in fenced areas, compared to the riparian pastures proposed in alternative 3. I feel this is a good compromise because the exclosures will be wide enough that they contain the flood prone areas and vegetation that is important for stream recovery and bull trout habitat, but will not remove available forage on benches above the riparian zone.

Ongoing range/aquatic projects in the Logan Valley, McCoy Creek, and Summit Prairie allotments include water developments. These developments will benefit grazing operations by providing water in grazing units that currently lack adequate water sources, or where available water from streams will be excluded by exclosure and riparian pasture fences, constructed as part of this decision. Water developments will contribute to improved livestock distribution in the uplands, taking pressure of riparian areas.

My selected alternative adds approximately 655 acres that do not provide bull trout habitat, from the vacant Lake Creek and McCoy Creek allotments to the Logan Valley allotment. Adding the extra acres helps offset the economic impacts of periodically resting areas within the Logan Valley allotment.

A variety of management options were considered in the Sagehen and Little Logan grazing units, in the Summit Valley Allotment, including the use of a range rider to move livestock away from Summit Creek riparian area. I considered the use of a rider and was concerned about the cost to the permittee over the long term. I feel that construction of riparian exclosures along the more sensitive portions of Summit Creek is a better long-term cost option, and feel more confident that expedited riparian recovery will occur in non-grazed riparian exclosures.

The selected alternative utilizes different combinations of use levels to control the duration of grazing management in riparian areas that will be grazed. The forage use levels (required endpoint stubble heights), that will occur along the edge of streams (greenline) in the selected alternative, are higher in some areas than have recently been required, ranging from 4 to 7 inch stubble heights. Requiring higher stubble heights, in the area along the edge of the stream, will result in some direct loss of available forage. Changes or more restrictive stubble heights along the greenline, was a key economic concern expressed by the Summit Prairie allotment grazing operators. With the modifications that I am making in the selected alternative, riparian area move triggers and allowable use levels shown in FEIS appendix E will not be applicable in riparian exclosures on Summit Creek, West Fork Summit Creek and Lake Creek since these areas will not be grazed. Again, I am confident that the modifications that I am making in the selected alternative, by separating uplands from riparian areas with exclosures on Summit Creek, will allow better use of available upland forage to off-set some of the economic impacts.

I want to highlight that best available science was considered when establishing move triggers and allowable use levels (FEIS, pp. 104-105, 478, appendix E). Clary (2000) recommends a 4-inch stubble height as a starting point, but states that "6-8 inches may be required to limit streambank trampling or reduce willow browsing. It is important to note that stubble height values in FEIS appendix E were identified on a reach by reach basis based on the departure of the existing condition from the desired condition (FEIS appendix A, Table 102). The move triggers and end point indicators that are part of my decision will be used in the short-term. There is flexibility to adapt move triggers and allowable use levels in the future. FEIS appendix E (FEIS page 407) states that use levels "may change for pastures based on site specific data collected at representative monitoring sites during the life of this analysis based on adjustments made in response to monitoring results, timing, or climatic conditions. As recovery is obtained through meeting management objectives (FEIS appendix A, Table 103), less restrictive use levels may be adequate to maintain or continue recovery of stream conditions. If management objectives are not being achieved in a timely manner, changes in move triggers and allowable use levels may be necessary to accelerate recovery (see appendix A, Table 104)".

My selected alternative will retain the currently permitted Animal Unit Months (AUMs). AUMs are maximum limits, and may be altered to allow flexibility for annual adjustment of both numbers and/or season to achieve riparian recovery objectives. An analysis of available forage and stocking rates, completed for the FEIS, indicates that adequate forage is available to support AUMs in my modified selected alternative, even with required rest requirement (see FEIS pages 119, 120, 125, and 126). The ability of the operator to utilize available forage is dependent on several factors which include:

- the ability to meet management objectives and long-term desired conditions for specific riparian areas;
- the ability to utilize upland forage before move triggers and allowable use levels are reached in riparian areas;
- the amount of wildlife forage use which is factored into allowable use levels; and
- yearly weather conditions that impact forage production.

The selected alternative, as modified, addresses the purpose and need by:

Purpose 1: To review and evaluate continuation, or modification, of grazing authorizations on Lake Creek, Logan Valley, McCoy Creek and Summit Prairie allotments. This is being done to ensure their effectiveness in meeting, or moving toward, desired conditions outlined in the amended Forest Plan, and to be consistent with agency policy, and other applicable laws and regulations.

I believe that the selected alternative analyzed allotment configurations and modified them in a way that will improve livestock distribution and upland forage utilization, allow for rest and recovery of riparian areas, and improve efficiencies in grazing management in the planning area as described above. These changes, along with monitoring and adaptive management strategies will contribute to meeting or moving toward desired conditions outlined in the Forest Plan and will be consistent with agency policy and other laws and regulations.

The selected alternative incorporates all practical means to avoid or minimize environmental harm using design criteria, monitoring and adaptive management strategies while also allowing livestock operations to function (FEIS, pp. 30, 31 and 72-80).

Purpose 2: To improve resource conditions for aquatic habitat, including threatened bull trout habitat, within range allotments in the project area.

The selected alternative improves resource conditions for aquatic habitat, by restricting livestock access to streams with critical bull trout habitat using exclosures and through development of riparian pastures; continuing to not graze portions of currently vacant allotments that contain critical bull trout habitat; establishing resting strategies in riparian pastures that allow vegetative recovery; as well as monitoring and adaptive management strategies to ensure desired conditions are attained. (See above discussion about how the selected alternative addresses the bull trout issue).

Despite design criteria and mitigation measures, the alternative, as modified, will continue to have minor indirect effects on the threatened bull trout and their critical habitat. The U.S. Fish and Wildlife Service has concluded that with the restrictions and mitigations imposed by alternative 4, as modified, this project May Effect, but is Not Likely to Adversely Affect threatened bull trout or their critical habitat.

Other Alternatives Considered

In addition to the selected alternative, I considered three other alternatives, which are discussed below.

Alternative 1 (No Action) eliminates livestock grazing which will provide the greatest protection to bull trout and their critical habitat, but was not selected because it will not meet the social and economic well-being of the local community. It will also have an impact on the economic viability of the permittees. No Action was the environmentally preferred alternative.

Alternative 2 (Proposed Action) was not chosen because it provides the least protection to the threatened bull trout. The addition of the Bosenberg unit from Lake Creek Allotment into the Summit Prairie Allotment means that a previously vacant unit will now be grazed. On the one hand, adding Bosenberg to the Summit Prairie Allotment increases the size of the grazing landscape, allowing for establishment of a grazing system that includes periodic rest across the allotment, with priority to resting riparian areas. While on the other hand, it includes a portion of Lake Creek Allotment that burned and contains unoccupied bull trout critical habitat. “The addition of the Bosenberg unit and resumption of grazing will introduce impacts from livestock grazing into areas that have not been grazed in over twenty years and

are still recovering from the effects of fire" (FEIS, p. 40, 78, 174, 196). In addition, it is stronghold for bull trout survival where both spawning and rearing take place (FEIS, p. 199).

Alternative 3 is very similar to the selected alternative; however, it retains Lake Creek Allotment in its entirety. This precludes the potential option of an additional water source in a nearby allotment that could aid in livestock distribution. It also, affects flexibility in grazing Logan Valley Allotment that comes with a larger grazing landscape, as described above.

Alternative 4 was not selected for the Summit Prairie Allotment because this alternative did not provide the same level of bull trout and riparian habitat protection in the Summit Prairie Allotment as alternative 3. Riparian exclosures and pasture creation provide more certainty in recovery of riparian areas and bull trout than the use of a range rider will. It also provides more opportunity to graze the uplands without being limited by riparian use levels.

These alternatives are described briefly below. A more detailed comparison of these alternatives can be found in the FEIS on pages 10-86.

Alternative 1 – No Action

For this project, the No Action Alternative is interpreted to be no grazing. All term grazing permits will be cancelled upon implementation of the decision and resolution of the appeal process. Permittees will be given two years written advance notice of cancellation of their permits as provided for under 36 CFR 222.4 (a)(1). Upon cancellation of the existing permit, there will be no livestock grazing under this alternative.

Figure 2 illustrates the current configuration of the range allotments in the planning area.

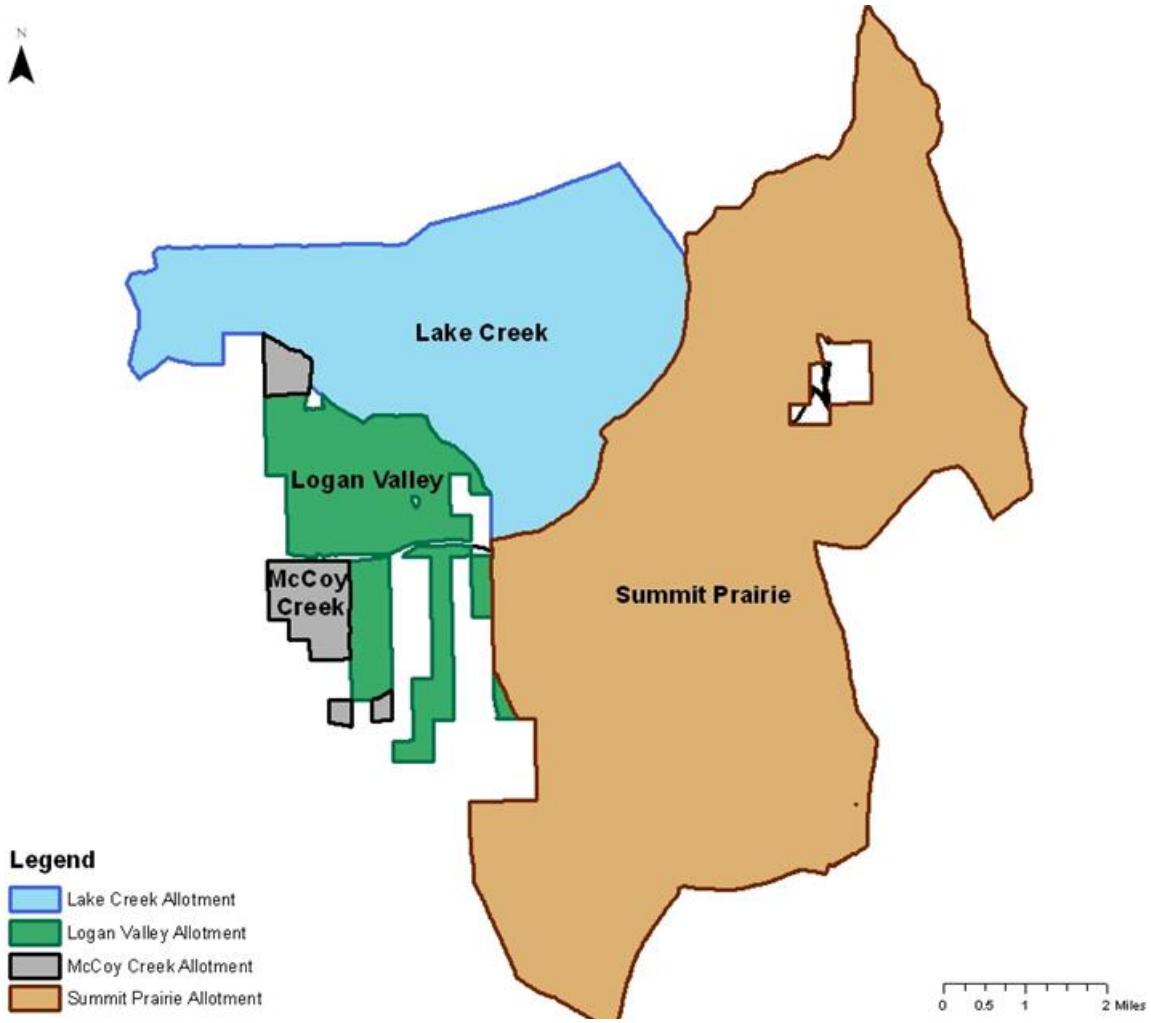

Figure 2. Current configuration of range allotments

Figure 3 shows the existing grazing units (pastures) within each range allotment as well as the location of major streams. Shades of blue represent grazing units with the Lake Creek Allotment. Shades of green represent grazing units with the Logan Valley Allotment. Shades of grey represent grazing units within the McCoy Creek Allotment and shades of brown represent grazing units within the Summit Prairie Allotment.

To avoid confusion in discussions that follow, note that two allotments and two grazing units have similar names. The Lake Creek grazing unit is in the McCoy Creek Allotment and the McCoy Creek grazing unit is in the Lake Creek Allotment.

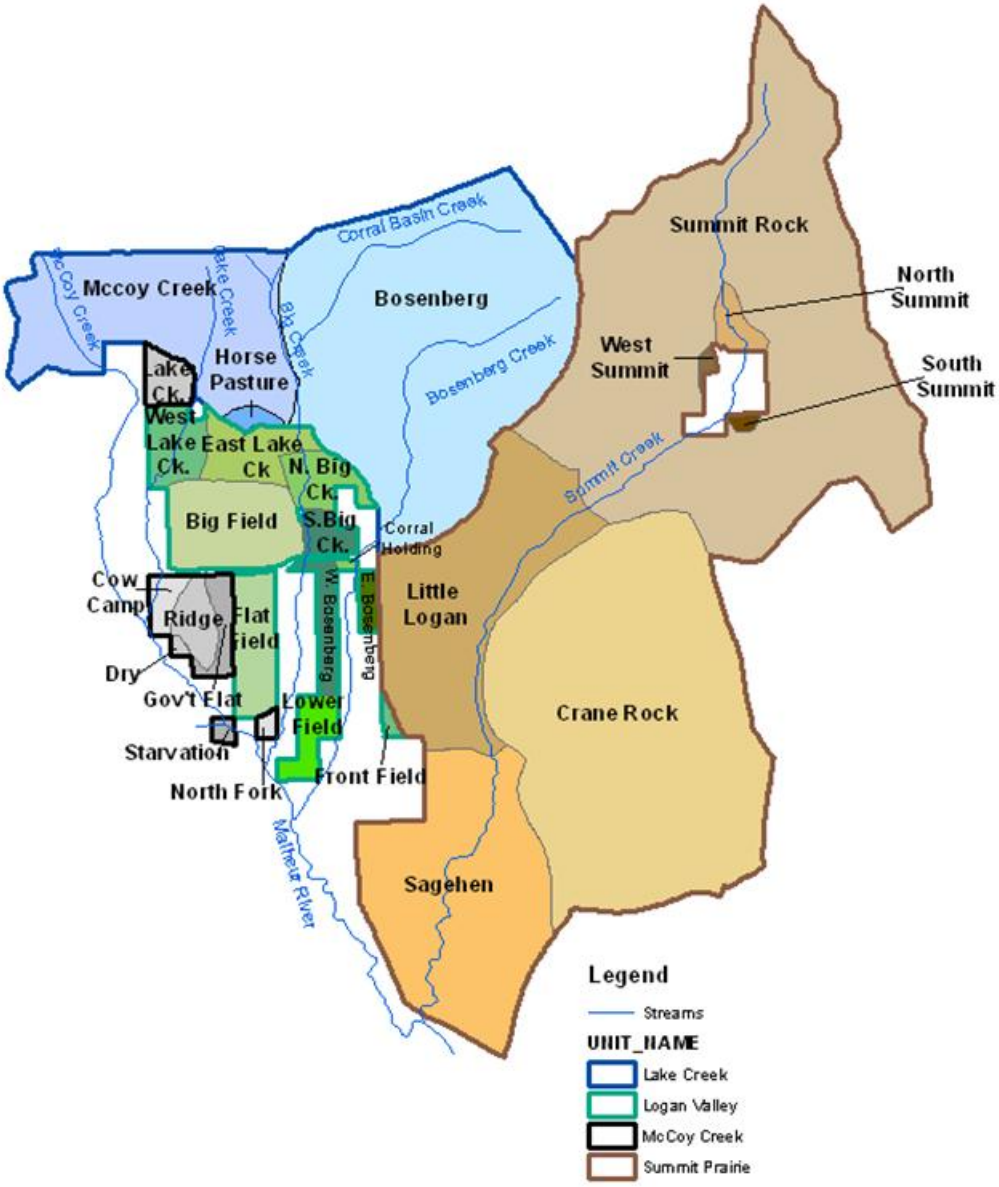

Figure 3. Existing grazing units and major streams with range allotments

Alternative 2

Alternative 2 establishes a grazing system that provides opportunities for rest and deferment (flexibility in season of grazing) in the Logan Valley and Summit Prairie allotments to recover important attributes of aquatic habitat including riparian vegetation and hardwoods, stream shade, and streambank stability.

Portions of the vacant Lake Creek allotment will be added to the Logan Valley and Summit Prairie allotments and a small geographically-isolated portion of Logan Valley will be added to Summit Prairie. These changes will create a larger landscape for grazing in those allotments with no increase in livestock numbers (AUMs). Adding acres to these allotments, combined with other grazing unit adjustments within the allotments (see Figure 4), provides the flexibility to periodically rest entire grazing units or defer the season of grazing to restore riparian area conditions, while maintaining enough acres to be grazed annually to support a viable grazing operation.

The southwest corner of the McCoy Creek unit of the Lake Creek Allotment will be removed from the allotment. It may be added to an adjacent allotment in the future. This will be analyzed in a future NEPA analysis. The remainder of the Lake Creek Allotment will remain vacant, as is has been for many years, to protect important habitat for the bull trout, which is listed as a threatened species under the Endangered Species Act.

Allotment boundary and pasture adjustments in the McCoy Creek allotment establish a deferred rotation grazing system allowing flexibility to change the time of year when units will be used. Combining two small units into one larger unit will help to improve livestock distribution for more uniform forage utilization. Small, geographically-isolated grazing units within this allotment will be added to adjacent allotments thus improving logistics of moving animals between units and decreasing fence maintenance by removing about 0.3 miles of fence. It will also improve livestock distribution in the Flat Field Unit of the Logan Valley Allotment.

Figure 4 shows the overall configuration of range allotments under this alternative.

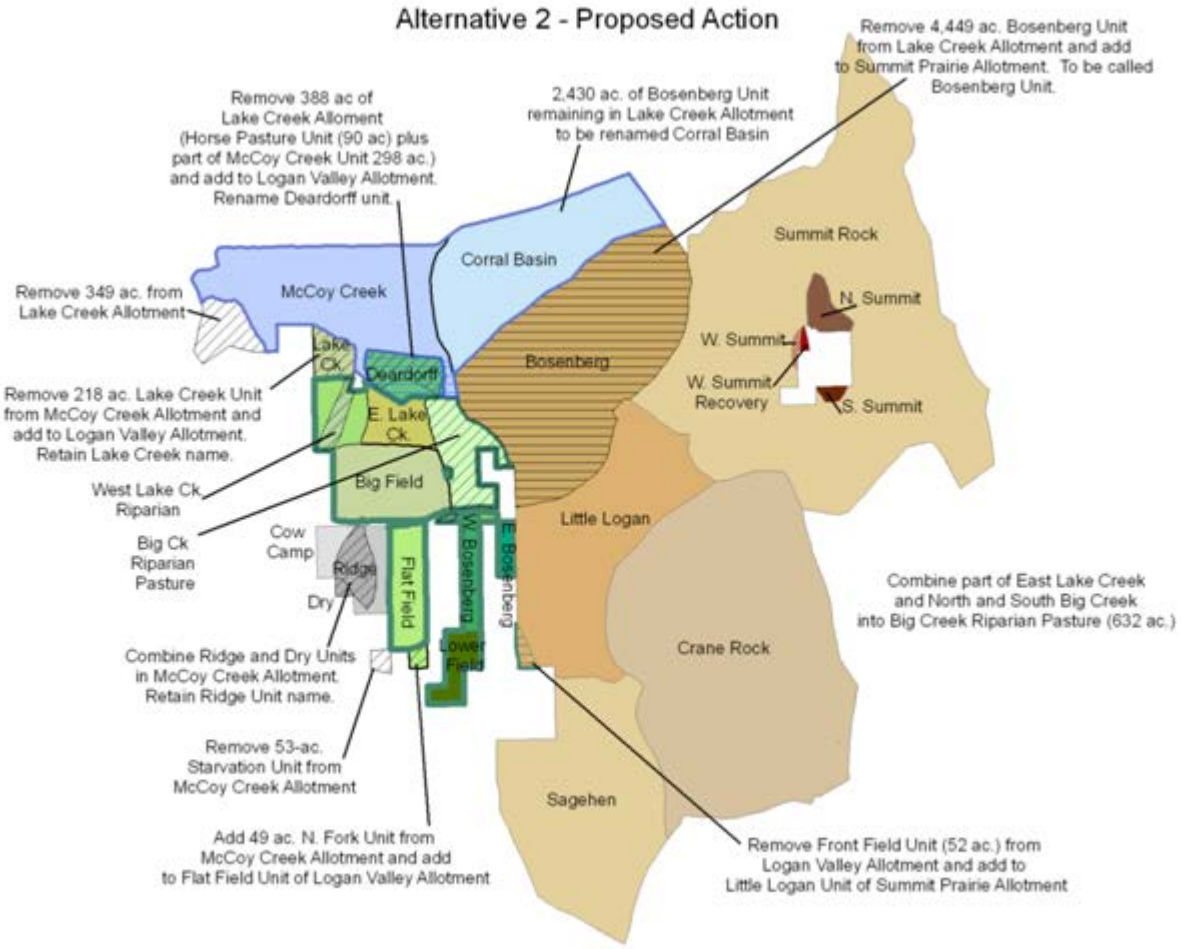

Figure 4. Allotment changes in alternative 2

Alternative 3

Alternative 3 was developed in response to the public's concern over bull trout critical habitat. All of the Lake Creek allotment will remain vacant in this alternative. The Lake Creek allotment contains all or portions of Lake Creek, Big Creek, Corral Basin Creek, and Bosenberg Creek which are designated critical habitat for bull trout.

In the Logan Valley, McCoy Creek, and Summit Prairie allotments, move triggers and allowable use levels for herbaceous forage and shrub use, and bank alteration vary by pasture based on the existing condition of the specific riparian area, its resiliency to grazing effects and other disturbances, and the presence of critical bull trout habitat. See FEIS appendix E for specific details.

Ongoing water developments in the Logan Valley allotment will provide opportunities to defer the season of grazing and a change to a deferred grazing system.

Allotment boundary and pasture adjustments in the McCoy Creek allotment establish a deferred rotation grazing system allowing flexibility to change the time of year when units will be used. Combining two small units into one larger unit will help to improve livestock distribution for more uniform forage utilization. Small, geographically-isolated grazing units within this allotment will be added to adjacent allotments thus improving logistics of moving animals between units and decreasing fence maintenance by removing about 0.3 miles of fence. It will also improve livestock distribution in the Flat Field Unit of the Logan Valley Allotment.

See map below outlining range allotment configurations for alternative 3.

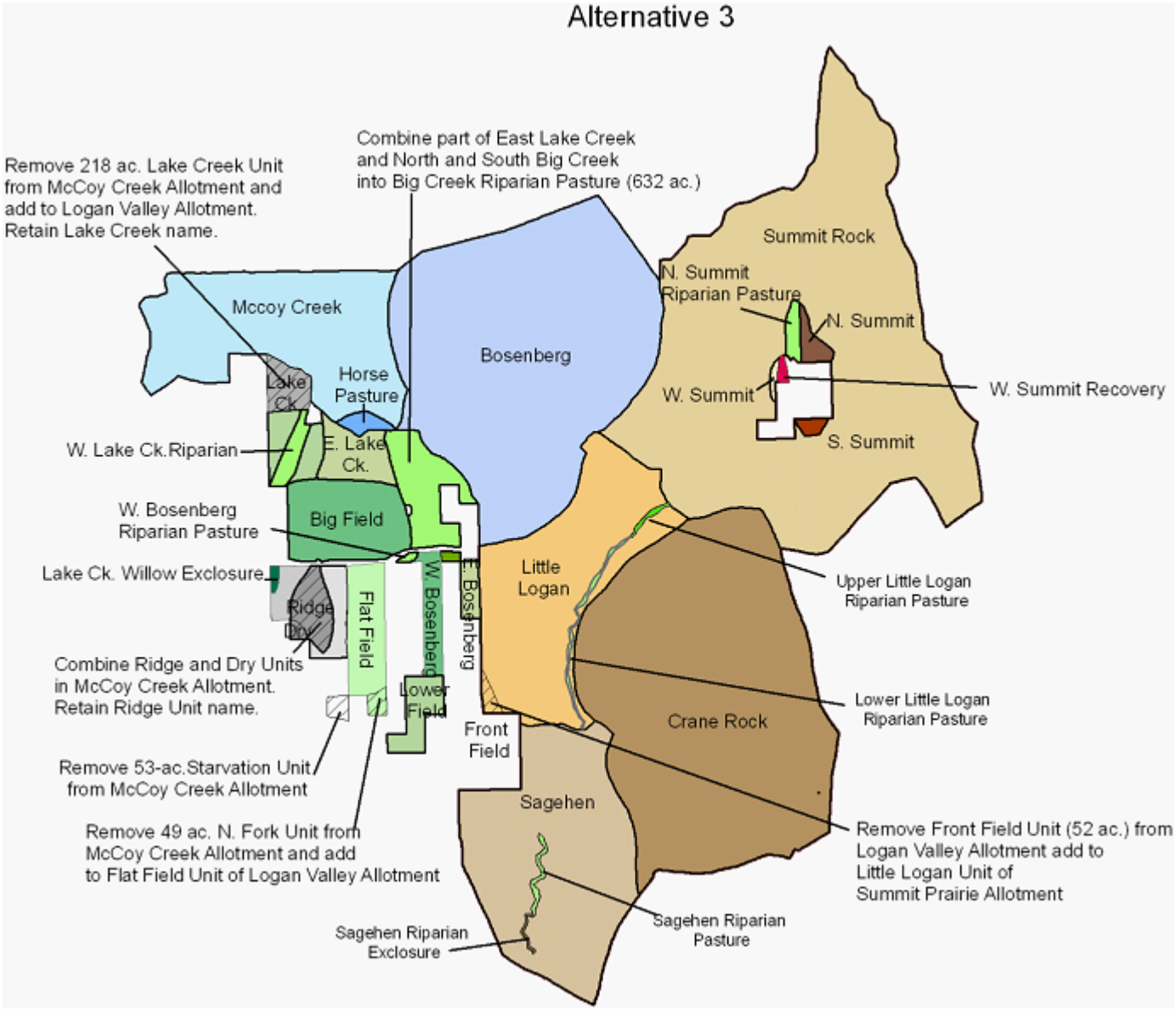

Figure 5. Allotment changes in alternative 3

Alternative 4

Alternative 4 was described above, except for the Summit Prairie allotment which is described below:

Management changes in the Summit Prairie allotment are intended to encourage recovery of riparian vegetation to enhance stream shade, riparian vegetation composition and vigor, and streambank stability. Daily riding by the permittee will be required when livestock are within the Sagehen and Little Logan units to move and distribute animals into the uplands away from Summit Creek. Small exclosures will be constructed and cages placed in the Sagehen and Little Logan units. A riparian pasture will be constructed from a portion of the Summit Rock and North Summit units containing portions of Summit Creek and West Fork Summit Creek.

See Figure 6 for range allotment configurations for alternative 4.

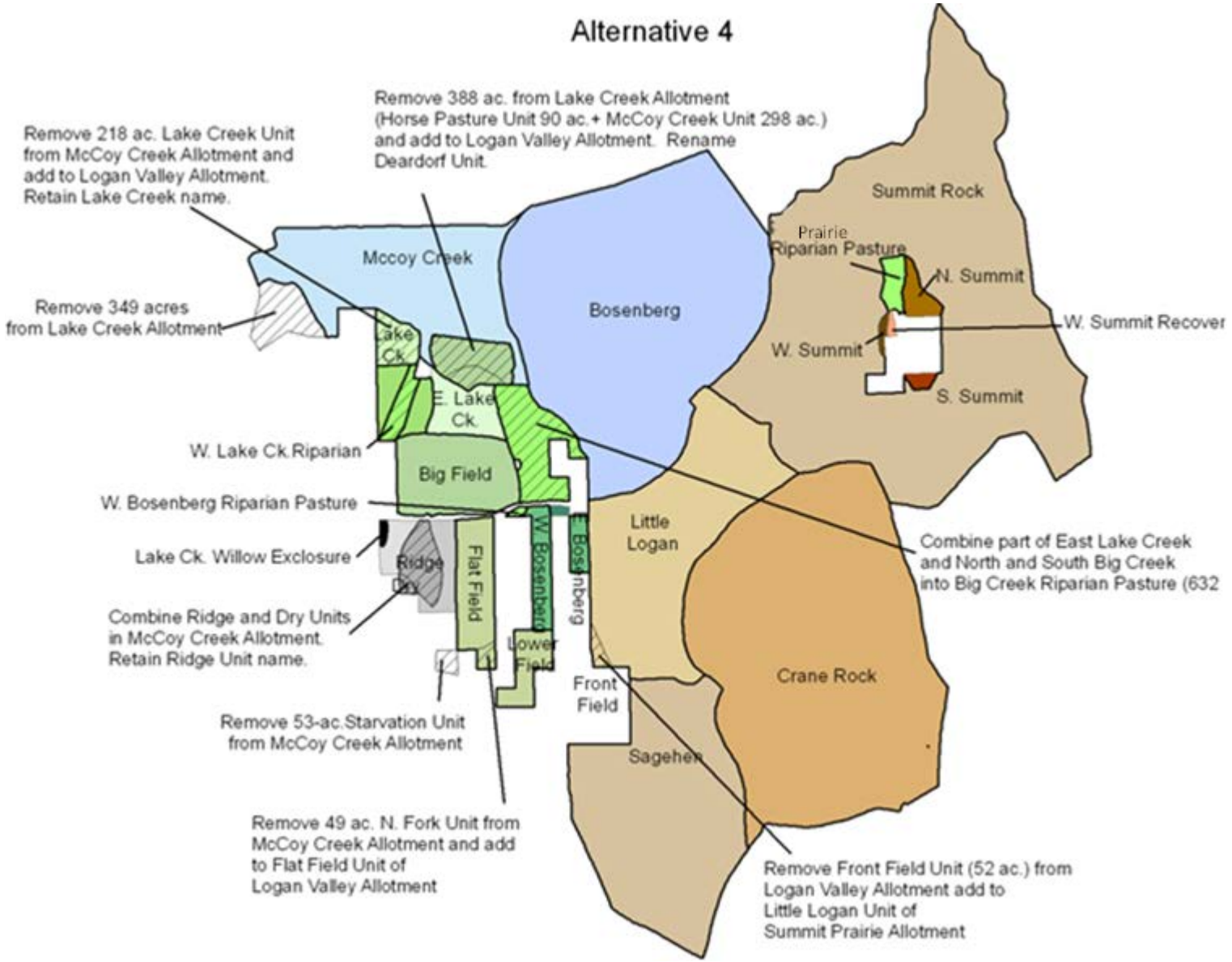

Figure 6. Allotment changes in alternative 4

Alternatives Considered But Eliminated From Detailed Study

The following alternatives or components of alternatives were considered, but eliminated from detailed consideration for reasons summarized below (FEIS, pp. 27-29).

Closure of National Forest System Roads

Public comments during the scoping period requested road closures to be considered as part of the proposed action. A recent access travel management plan was implemented in Logan Valley area with the Merit Project. Over the last several years several miles of road closures and decommissioning were implemented in areas overlapping portions of the Logan Valley, Lake Creek, and McCoy Creek allotments benefiting aquatic and wildlife habitat. The Line Officer made a decision to not propose additional road closures in this analysis.

Beaver Recovery Projects

Public comments requested that a credible and substantive beaver restoration alternative be considered. Although alternatives considered in detail do not specifically propose to restore beaver habitat, grazing management changes considered are expected to move riparian areas toward desired conditions resulting in improved habitat for beaver across the project area. The quality of beaver habitat will depend on the stream-type and vegetation potential. Closing roads was a beaver restoration strategy recommended in public comments. As stated above, the responsible official decided not to include road closures within the scope of the analysis.

Corridor Fencing of Big Creek

A proposal was brought forward from the Burns Paiute Tribe to consider constructing corridor fences on Big Creek to eliminate livestock access and rest. Proper functioning condition (PFC) assessments on Big Creek stream reaches were conducted in 2007. All reaches of Big Creek assessed were determined to be in a proper functioning condition with an upward recovery trend, therefore corridor fencing of all stream reaches was eliminated from detailed study. The Forest Service is working cooperatively with the Burns Paiute Tribe and the Logan Valley allotment permittee to restore aquatic habitat on Big Creek and Lake Creek. In 2011, the Prairie City District Ranger authorized creating a riparian pasture on approximately 0.2 miles of Big Creek that was not reviewed during the 2007 proper functioning condition assessments. The pasture fence is scheduled to be completed in 2012. In all alternatives the riparian pasture (West Bosenberg Riparian Pasture) is proposed to be rested and planted with willows to expedite recovery.

Reduction of Permitted Grazing Numbers

An alternative was considered that will have decreased the annual permitted livestock numbers and Animal Unit Months (AUMs) to improve stream conditions and habitat for bull trout. A capability and suitability and forage production analysis was completed for all allotments in the project area. The study showed that forage availability with the currently permitted livestock AUMs is not a limiting factor in the allotments within the project area.

Reducing numbers as a stand-alone strategy will have economic impacts to the permittee and fails to fully consider the stressors on the riparian systems that are slowing or preventing their recovery. Recovery of stream conditions can successfully be accomplished using a combination of timing, duration and frequency of grazing. Within the alternatives considered in detail, changes in management were designed specifically for the stream reaches based on the existing condition. Strategies considered related to the timing, duration, and frequency of grazing include: periodic

rest of entire grazing units, fencing to create riparian pastures and exclosures to better control the duration and frequency of grazing, changes in allowable stream bank impacts and forage use levels in riparian areas, and development of upland water source development and management requiring daily riding by the permittee to move livestock away from riparian areas. In addition, the AUMs proposed in all alternatives considered in detail were established as a maximum limit, maintaining flexibility for periodic adjustments in livestock numbers if needed to achieve desired conditions for streams.

Current Management

Although current grazing strategies are facilitating recovery of most stream reaches, it was eliminated as an alternative studied in detail because there is still a need for changes in management to improve shrub, herbaceous vegetation, bank stability and stream shade conditions on specific reaches of Summit Creek. Summit Creek is critical habitat for bull trout.

Scheduling Rest on all Stream Reaches that are Functioning at Risk

Several sources of data were used by the Interdisciplinary team to determine the existing condition and desired condition (see appendix A, Table 102). This includes a proper functioning condition assessment completed in 2007 (Elmore 2007). The assessment identified several stream reaches in the project area as “functional-at-risk”. Some stream reaches that are functioning at risk, have an upward recovery trend and scheduling rest to achieve the desired condition is not always necessary. Combinations of management that change the timing, duration and frequency of grazing are being considered based on the specific recovery needs of each stream reach. Scheduling rest as a stand-alone strategy for recovery all streams that are functioning at risk was eliminated from detailed study.

Keep all Livestock out of Riparian Zones

An alternative was considered to remove livestock grazing from riparian areas. The strategies proposed in the action alternatives address the timing, duration, and frequency of grazing in riparian areas without removing livestock entirely from all riparian zones. The strategies vary by alternative with consideration of the existing condition and desired condition of riparian conditions. Strategies proposed include periodic rest of riparian areas, fencing to create riparian pastures and exclosures to better control the duration and frequency of grazing, variations in use levels and move triggers, and herding techniques such as daily riding to move livestock away from riparian areas.

Environmentally Preferred Alternative

Based on the definition in 36 CFR 200.3, the alternative which is environmentally preferable is: Alternative 1 – No Action. This alternative will remove grazing from all allotments after two years. This alternative will offer the most protection to both riparian habitat and critical bull trout habitat.

Public Involvement

Public comments were requested beginning in October, 2008 for this project. Since that time, the Summit Logan Valley Grazing Authorization Project has transitioned from an Environmental Assessment (EA) to an Environmental Impact Statement (EIS). On February 1, 2012, a scoping letter providing information and seeking public comment was mailed to approximately 230 entities, including agencies, groups, individuals and other parties who requested information on general forest or specific range projects. Four comments letters were received: Oregon Natural

Desert Association in conjunction with Oregon Wild, Grant County Conservationists, Blue Mountain Biodiversity and an anonymous commenter. Original letters, emails and other scoping comments are contained in the project files. Additionally, on February 8, 2012, a Notice of Intent was published in the Federal Register.

Interaction with the Summit Logan Valley Grazing Authorization Allotment Grazing Permittees began in the fall of 2007 and has included several field trips and meetings. Field trips to the project area were facilitated by the National Riparian Service Team and attended by representatives from US Fish and Wildlife Service and the permittees.

Consultation with Others

Tribal consultation has occurred with the Burns Paiute Tribe, the Confederated Tribes of the Umatilla Indian Reservation, and the Confederated Tribes of Warm Springs Reservation. This government-to-government consultation was conducted under the terms of specific agreements with individual tribes and included regular contact and meetings as appropriate. Scoping letters were mailed to the tribal governments. In the spring and fall of 2008 the district ranger, rangeland management specialist and various interdisciplinary team members met with the Burns Paiute Tribe to discuss their proposals for the Logan Valley area. Several partnership projects are ongoing in the project area involving the Burns Paiute Tribe and the Logan Valley allotment permittees. The Burns Paiute Tribe is involved in constructing several riparian pasture and exclosure fences on Big Creek and Lake Creek to assist in grazing management and aquatic habitat recovery. On April 3, 2013 the Prairie City Ranger District met with representatives from the Burns Paiute Tribe to discuss ongoing and future projects, which included the Summit Logan Valley Grazing Authorization Project.

Draft EIS Comments and Responses

The Summit Logan Valley Grazing Authorization Project DEIS was completed in October 2012, and was made available to the public the week of November 5, 2012. The 45 day review period began on November 2, 2012, the day that the Notice of Availability was printed in the Federal Register. The review period ran through December 17, 2012. Letters informing that the DEIS was available was mailed to over 100 potentially interested publics. Copies of the DEIS were mailed to those individuals that responded during scoping. Additional copies were given to other individuals, agencies and groups following the initial mailing. Eight written and verbal comments were received from the public. These comments, with agency responses, are located in FEIS appendix F.

Issues

The significant issues for this project include (FEIS, pp. 24-25):

Bull Trout Critical Habitat

Grazing may degrade critical habitat for threatened bull trout. There may be direct, indirect, and cumulative effects of livestock use of streams and riparian areas that could negatively affect spawning and reproductive success. Livestock grazing may trample eggs, impact stream banks increasing sediment and widening stream channels, decrease shade-providing plants on the banks and increase water temperatures. Continued grazing on streams that are “functional at risk” may impact recovery of resource values including critical bull trout and beaver habitat. In areas that are functioning at risk, channels may not be interacting with the floodplain, substrate is often

highly embedded and pool quality low, banks are incised with little vegetation, willows are under-represented in density and age classes, and water temperatures are high.

Economic Impacts to Permittees and Community

Changes in how allotments are managed can affect operational and implementation costs. Riparian exclosures and riparian pastures can exclude productive forage areas and impact livestock movement. The addition of fences can increase annual fence maintenance costs. Permittees, managers and employees of allotments reside in the local communities and contribute to the local economy.

Table 9. Significant issues

Significant Issue	Measure or element for evaluation:
Bull Trout Critical Habitat	Miles of occupied bull trout habitat grazing during spawning season by stream Miles of critical bull trout habitat[a] • Not grazed • Grazed annually • Grazed with periods of rest • Riparian pastures with rest • Riparian exclosures not grazed Rate of Recovery • Miles of Critical Habitat expected to achieve PFC in 5 years • Miles of Critical Habitat expected to achieve PFC in 10 years • Miles of Critical Habitat expected to achieve desired vegetation conditions and channel characteristics in 10 years
Economic Impacts to Permittees and the Local Community	Animal Unit Months • Costs of Improvements • Acres Rested or Not Grazed • Acres Available for Grazing • Miles of Added Fence Maintenance

a - Miles of 303d listed streams are included in the critical bull trout habitat miles

Findings Required by Other Laws and Regulations

The planning and decisionmaking process for this project was conducted in accordance with all applicable laws, regulations, policies and plans. This section briefly describes our findings.

Forest Plan

The Forest Plan, as amended, combines the forest-level strategy for managing land and resources on the forest. The plan provides resource management direction, defines various management areas, and outlines standards and guidelines under which lands and resources administered by the Malheur National Forest are managed.

To avoid duplication of analysis that has already been completed, this document is tiered to and relies upon the analysis in:

The 1990 Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) for the Malheur National Forest Land and Resource Management Plan (referred to in this Record of Decision as the Forest Plan) (USDA Forest Service 1990).

This decision to modify allotment boundaries, grazing systems, develop riparian pastures and exclosures, and riparian rest requirements in modified alternative 4 is consistent with the intent of the Forest Plan long term goals and objectives listed on pages IV-1 to IV-4 and IV-13-2, and IV-24. The project was designed in conformance with forest plan standards and incorporates appropriate Forest Plan guidelines for range management and aquatic (Forest Plan, pages IV-34 to IV-139), INFISH and Forest Plan Amendment 29, with the exception of shade values in hardwood/meadow complexes on site specific stream reaches outlined in the FEIS. Approval of this decision will result in a non-significant amendment to the Malheur Forest Plan. Consistency with standards and guidelines were discussed and disclosed in the FEIS on pages: 130, 138, 147, 155, 158, 210, 217, 218, 219, 227, 228, 238, 243, and all specialist reports.

My decision results in a Forest Plan Amendment (MAL-75) for numeric shade values on specific stream reaches outlined in Table 7 above. The values for shade will be changed, from the Amendment 29 values, to the values identified in the TMDL or by the Carex Working Group. The amended shade values by stream reach are considered to be more site specific and realistic than the values in Amendment 29. They take into consideration more factors that have localized effects on stream shade.

I have determined that this Forest Plan Amendment (MAL -75) is not a significant amendment under the National Forest Management Act implementing regulation and Forest Service Manual 1926.51 which gives conditions under which changes to the land management plan that are not considered significant. These conditions were analyzed on page 16 of the Record of Decision.

This project is consistent with the following:

- Congressional intent to allow grazing on suitable lands (Multiple Use-Sustained Yield Act of 1960, Forest and Rangeland Renewable Resource Planning Act of 1974, Federal Land Policy and Management Act of 1976, National Forest Management Act of 1976.
- Forest Service policy on rangeland management (FSM 2202.1, FSM 2203.1, FSH 2209.13).
- Federal regulation (36 CFR 222.2 (c) which states that National Forest System lands will be allocated for livestock grazing and allotment management plans (AMP) will be prepared consistent with land management plans.

National Environmental Policy Act

The National Environmental Policy Act (NEPA) declares it a national policy to encourage productive and enjoyable harmony between man and the environment and promote efforts to better understand and prevent damage to ecological systems and natural resources important to the nation. Agencies are required to prepare a detailed environmental impact statement for any major federal action significantly affecting the environment. The Act also establishes the Council on Environmental Quality to review government policies and programs for conformity with NEPA.

This law essentially pertains to public participation, environmental analysis, documentation and appeals. NEPA establishes the format and content requirements of environmental analysis and documentation such as the Summit Logan Valley Grazing Authorization Project Environmental Impact Statement. The entire process of preparing an environmental impact statement was

undertaken to comply with NEPA requirements, as codified by 40 CFR 1501 and the Forest Service Handbook 1909.15, Chapter 40.

Planning for this project was done in accordance with the National Environmental Policy Act (NEPA) of 1969. Procedures described in the Council of Environmental Quality's implementing regulations for NEPA (Title 40; CFR Parts 1500-1508) were used to ensure compliance with NEPA.

National Forest Management Act (NFMA)

The National Forest Management Act reorganized, expanded and otherwise amended the Forest and Rangeland Renewable Resources Planning Act of 1974, which called for the management of renewable resources on national forest lands. The National Forest Management Act requires the Secretary of Agriculture to assess forest lands, develop a management program based on multiple-use, sustained-yield principles, and implement a resource management plan for each unit of the National Forest System. It is the primary statute governing the administration of national forests.

There are several important sections within the act, including Section 1 (purpose and principles), Section 19 (fish and wildlife resources), Section 23 (water and soil resources), and Section 27 (management requirements that relate to perspective project planning).

The selected alternative was developed in compliance with the National Forest Management Act (NFMA) via with compliance with the Malheur National Forest Land and Resource Management Plan 1990 (Forest Plan), as amended, and with the approval of this decision, which will result in a non-significant amendment to the Malheur Forest Plan. This amendment will change shade values in hardwood/meadow complexes on site-specific stream reaches identified in the FEIS. Throughout the environmental analysis and various specialist reports in the project record, there are references to Forest Plan standards and guidelines and how those standards and guidelines were met in the various aspects of the alternative design.

National Historic Preservation, Treaty Rights, Executive Order 12875, Executive Order 13287 and American Antiquities Act of 1906

Section 106 of the National Historic Preservation Act of 1966 (amended in 1976, 1980, and 1992) is the foremost legislation that governs the treatment of cultural resources for this project. Implementing regulations that clarify and expand upon the National Historic Preservation Act include 36 CFR 800 (Protection of Historic Properties), 36 CFR 63 (Determination of Eligibility to the National Register of Historic Places), and 36 CFR 296 (Protection of Archaeological Resources). The Pacific Northwest Region (R6) of the Forest Service, the Advisory Council on Historic Preservation, and the Oregon State Historic Preservation Office, signed a programmatic agreement regarding the management of cultural resources on National Forest system lands in 2004. The 2004 programmatic agreement outlines specific procedures for the identification, evaluation, and protection of cultural resources during activities or projects sponsored by the Forest Service. It also establishes the process that the State Historic Preservation Office utilizes to review Forest Service undertakings for National Historic Preservation Act compliance. The Grazing Allotment Review Strategy for Section 106 Compliance, which implements the Regional Forester policy letter of May 19, 2006, "Grazing Permit Reauthorization and National Historic Preservation Act" (Goodman 2006), is the region's policy for performing heritage reviews of grazing permit reauthorizations. This policy has also been approved by Oregon State Historic Preservation Office.

The National Environmental Policy Act of 1970 is also a cultural resource management directive as it calls for agencies to analyze the effects of their actions on sociocultural elements of the environment. Laws such as the National Forest Management Act (NFMA) of 1976, the Archaeological Resources Protection Act (ARPA) of 1979, the Native American Graves Protection and Repatriation Act (NAGPRA) of 1990, and Executive Order 13007 (Indian Sacred Sites) also guide Forest Service decision-making as it relates to heritage. The American Indian Religious Freedom Act (AIRFA) of 1978 requires that federal agencies consider the impacts of their projects on the free exercise of traditional Indian religions.

The Malheur National Forest Land and Resource Management Plan (1990), as amended, tiers to the previously mentioned laws and corresponding Forest Service manual direction as it sets forth resource management goals, objectives, and standards. Forest-wide management standards that are pertinent for this cultural resource effects analysis include:

- Conduct a professionally supervised cultural resource survey on National Forest lands to identify cultural resource properties. Use sound survey strategies and the Malheur National Forest Cultural Resource Inventory Survey Design (Thomas 1991).
- Evaluate the significance of sites by applying the criteria for eligibility to the National Register of Historic Places.
- Consider the effects of all Forest Service undertakings on cultural resources. Coordinate the formulation and evaluation of alternatives with the State cultural resource plan, the State Historic Preservation Office and State Archaeologist, other State and Federal agencies, and with traditional and religious leaders of Native American Indian groups and tribes with historic ties to the project planning area.

The Summit Logan Valley Grazing Authorization Project is in full compliance with the above laws, regulations and direction.

Environmental Justice, Executive Order 12898

Agencies are directed to address effects accruing in a disproportionate way to minority and low-income populations; the closest population or habitation to the project area is the City of Prairie City, (population 909). Prairie City is within Grant County, considered a non-metropolitan county. Grant County's per capita income ranked 23 out of 36 counties in the state in 2010. In the 2010 census the percent of persons below poverty is 14.7 percent. The State of Oregon Employment Department for Prairie City showed an unemployment rate of 11.8 percent in 2010. Minority populations in Grant County are 7.6 percent which include Hispanic, African American, Native American, Asian, Pacific Islander, and two or more races.

From Federal and State data this community contains low-income people and minority persons. Implementation of an alternative that provides the opportunity for employment may positively affect low-income families who are either unemployed or underemployed. No disproportionate impacts to the citizens of Prairie City are anticipated upon the implementation of an alternative. All contracts offered by the Forest Service contain Equal Employment Opportunity requirements. Subsistence and cultural use levels are difficult to quantify and differential patterns of subsistence consumption are unknown at this time. However, the Forest provides access to firewood and other consumables through a personal-use permit system. The range allotment authorization project has the potential to contribute to the local economy of the area.

Migratory Bird Treaty Act (MBTA)

The Migratory Bird Treaty Act established an international framework for the protection and conversation of migratory birds. This Act makes it illegal, unless permitted by regulations to "pursue, hunt, take, capture, purchase, deliver for shipment, ship, cause to be carried by any mean whatever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird…".

The selected alternative is consistent with the 1918 Migratory Bird Treaty Act (MBTA) and the Migratory Bird Executive Order 13186. The selected alternative was designed under current Forest Service policy for landbirds. The Northern Rocky Mountains Bird Conservation Plan (Altman 2000) and the US Fish and Wildlife Service's Birds of Conservation Concern (US Fish and Wildlife Service 2008) were reviewed for effects disclosure. The selected alternative was designed to protect or enhance priority habitats for landbird species, including neotropical migratory species.

Clean Water Act

The Clean Water Act requires that the Forest Service manage for the attainment of water quality criteria that provides for the most restrictive beneficial use present on a reach of a stream. The most restrictive beneficial use that is present in the project area is bull trout spawning and rearing. Many of the streams present in the project area were identified as water quality limiting for water temperature with supporting data collected continuously at multiple locations. Big Creek, Lake Creek and Summit Creek were identified with 303(d) listings that were followed with the development of a TMDL. The Forest Service is responsible for developing a Water Quality Recovery Plan that will demonstrate monitoring, management changes based on monitoring and provide for a reporting process to Oregon Department of Environmental Quality every 5 years. The desired condition table (FEIS appendix A) identifies the desired vegetative communities and used the effective shade curves or empirically collected reference data to identify what the desired effective shade values should be achieved per reach. The monitoring plan (FEIS chapter 2), management objectives (FEIS appendix A) and adaptive management suite (FEIS appendix A) developed for the Summit Logan Project will provide the management framework to ensure that the livestock effects to the project area are not adverse and that these streams are continuing on an upward trend towards their desired condition. The allowable use levels (FEIS appendix E) and the flexibility to adjust these levels will provide for the recovery of the wetland obligate vegetation attributes and channel morphology.

Wetlands (Executive Order 11990)

Executive Order 11990 says that Federal agencies shall avoid management practices that will adversely affect wetlands. Wetlands that occur in the project area will be maintained or expanded in spatial extent with improved functionality. Focusing on riparian vegetation and channel condition, it will allow increased water storage in the floodplains and is consistent with the Executive Order protecting wetlands. Establishing allowable use levels and the adaptive management actions will prevent adverse effects.

Floodplains (Executive Order 11988)

Executive Order 11988 says that Federal agencies shall avoid adverse effects to floodplains or minimize potential harm. Floodplains several to hundreds of feet wide occur in the project area. The floodplains are primarily contained within Riparian Habitat Conservation Areas (RHCAs). Management actions will be authorized that manage the amount of streambank alteration and

herbivory, defer and/or rest livestock use that will minimize avoid adverse effects to the floodplains, and thus be consistent with Executive Order 11988.

Endangered Species Act

The Endangered Species Act provides broad protection for species of fish, wildlife and plants that are listed as threatened or endangered in the U.S. or elsewhere. Provisions are made for listing species, as well as for recovery plans and the designation of critical habitat for listed species. The Act outlines procedures for federal agencies to follow when taking actions that may jeopardize listed species, and contains exceptions and exemptions.

Field surveys and biological evaluations for all listed endangered, threatened, or sensitive species have been prepared to determine possible effects of any activities in the Summit Logan Valley Grazing Authorization project area.

Forests are required to consult with the US Fish and Wildlife Service if an activity may affect the population or habitat of a listed species. A biological assessment was prepared and submitted for initiation of formal Endangered Species Act Section 7 consultation with the US Fish and Wildlife Service. Federally listed fish species and their proposed or designated critical habitat in the project area subject to consultation include bull trout and their critical habitat. The Malheur National Forest received concurrence from the US Fish and Wildlife Service regarding effects to bull trout and proposed critical habitat. The completed biological assessment and consultations can be found in the project file.

Climate Change

The Forest Service Strategic Framework for Responding to Climate Change, states, “[t]he Forest Service will need to build consideration of climate change into virtually all aspects of agency operations including consideration of life cycle analysis of activities.”

Furthermore, Forest Service Chief’s January 16, 2008 letter of direction transmitting the January 13, 2009, Climate Change Considerations in Project Level NEPA Analysis, applies general NEPA direction and regulation to the consideration of the appropriateness and degree of climate change and greenhouse gas emissions analysis for a given project. This guidance frames climate change analysis by discussing the answers to two fundamental challenges: how our management may influence climate change mainly through incremental changes to global pools of greenhouse gases and how climate change may affect our forests and grasslands.

How management may influence climate change: A project of this magnitude will have such minimal effects to greenhouse gasses that its impact on global climate change will be infinitesimal. Therefore, at the global scale, the selected action’s direct and indirect contribution to greenhouse gasses and climate change will be negligible. In addition, because the direct and indirect effects will be negligible, the selected action’s contribution to cumulative effects on greenhouse gasses and climate change will also be negligible (FEIS, p.294-297).

How climate change may affect forests and grasslands: The selected alternative meets the Agency’s mission and the described purpose and need for this project while enhancing the resilience and adaptive capacity of resources to the potential impacts of climate change. The alternative incorporates adaptive management strategies that provide flexibility to address inherent uncertainty associated with the local effects of climate change (FEIS, p. 108-108, 294-297).

Executive Order 13112 (Invasive Species)

This 1999 order requires Federal agencies whose actions may affect the status of invasive species to identify those actions and within budgetary limits, "(i) prevent the introduction of invasive species; (ii) detect and respond rapidly to and control populations of such species… (iii) monitor invasive species populations… (iv) provide for restoration of native species and habitat conditions in ecosystems that have been invaded;…(vi) promote public education on invasive species… and (3) not authorize, fund, or carry out actions that it believes are likely to cause or promote the introduction or spread of invasive species… unless, pursuant to guidelines that it has prescribed, the agency had determined and made public… that the benefits of such actions clearly outweigh the potential harm caused by invasive species; and that all feasible and prudent measures to minimize risk of harm will be taken in conjunction with the actions."

The selected alternative implements the direction from the Malheur Forest Plan and the Integrated Weeds Management EA. The action alternatives include design criteria which will limit the spread of invasive weeds. These include the cleaning of off-road equipment between infested work sites, re-vegetating disturbed areas with native seed, and monitoring weed infestations following treatments.

Multiple-Use Sustained Yield Act of 1960

The selected alternative meets the intent of the Multiple-Use Sustained Yield Act. All alternatives ensure that recreation, fish and wildlife, water, timber resources are available for current and future generations, however only the three action alternatives ensure that grazing resources are available for both current and future generations in the project area.

Municipal Watersheds

There are no designated municipal watersheds in the Summit Logan Analysis area.

Consumers, Civil rights, Women, and Minorities

Consumers, the civil rights of individuals and groups, including minorities and women, and the rights of American Indians identified by the American Indian Religious Freedom Act of 1978 will not be adversely affected by implementation of any alternative under consideration. Indirect effects on these groups may result from job opportunities created or maintained by authorizing grazing on allotments and pastures in the projected area.

Administrative Review or Appeal Opportunities

This decision is subject to appeal pursuant to 36 CFR 215. Individuals or organizations who submitted substantive comments during the comment period may appeal. A notice of appeal must be in writing and clearly state that it is a Notice of Appeal being filed in pursuant to 36 CFR 215. Notice of Appeal, including attachments, must be filed with the Regional Forester, Kent Connaughton, the Appeal Deciding Officer, within 45 days of the date of legal notice publication of this decision in the Blue Mountain Eagle, John Day, Oregon. The Blue Mountain Eagle is the newspaper of record for the Prairie City Ranger District, Malheur National Forest. The publication date is the exclusive means for calculating the time to file an appeal. Those wishing to file an appeal should not rely upon dates or timeframe information provided by any other source.

The Notice of Appeal, including attachments, may be submitted in the following ways:

- **Mailed to**: Regional Forester, Pacific Northwest Region, USDA Forest Service, Attn. 1570 Appeals and Objections, PO Box 3623, Portland, OR 97208-3623.
- **E-mailed to:** appeals-pacificnorthwest-regional-office@fs.fed.us. Please put APPEAL and the project name in the subject line. Electronic appeals must be submitted as part of an actual e-mail message, or as an attachment in Microsoft Word (.doc), rich text format (.rtf), or portable document format (.pdf) only. For electronically mailed appeals, the sender should normally receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive an automated acknowledgement of the receipt of the appeal, it is the sender's responsibility to ensure timely receipt by other means.
- **Hand Delivered to**: Pacific Northwest Regional Office, 1220 SW 3rd Avenue, Portland, OR 97204. Hand deliveries can occur between 8:00 AM and 4:30 PM, Monday through Friday except legal holidays.
- **Faxed to**: Regional Forester, Attn: 1570 Appeals at (503)-808-2339.

Implementation

Implementation of the selected alternative will occur under the authority of this Record of Decision. Acreages and locations are approximate and may vary slightly during implementation depending on site-specific conditions.

Pursuant to 36 CFR part 215, if no appeal is filed within the 45-day period, implementation of this decision may occur on, but not before, 5 business days from the close of the appeal filing period. If an appeal is received, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Contact Persons

For additional information concerning this decision or the Forest Service appeal process, contact Ryan Falk, ID team leader at PO Box 337, Prairie City, OR 97869 (541) 820-3890 or Randall J. Gould, District Ranger, at PO Box 337, Prairie City, OR 97869 (541) 820-3801.

Teresa Raaf

TERESA RAAF
Forest Supervisor
Malheur National Forest

September 23, 2013

DATE

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